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JUN 29 1994

1993-1994
CIVIL GRAND JURY
REPORTS



CITY AND COUNTY
OF
SAN FRANCISCO, CALIFORNIA

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CITY AND COUNTY OF SAN FRANCISCO GRAND JURY

OFFICE
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June 27, 1994

Arnold K. Low
Foreperson

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Linda O. Salas

Marilyn S. Sperber

Honorable Raymond J. Arata, Jr.
Presiding Judge
Superior Court of California
City Hall, Department 1 Room 402
San Francisco, CA 94102

Dear Judge Arata:

The 1993-1994 San Francisco Civil Grand Jury is pleased to submit to you a compilation of its final reports that were issued periodically throughout its term.

The earlier issuance of reports required a more rigorous discipline and exerting extra efforts in our investigations. The increased commitment was needed to address some critical issues that demanded the immediate attention of our civic leaders.

Our efforts were rewarded by the extensive public support of our report recommendations. However, we are disturbed by some of the responses, or lack of responses, from civic leaders to whom the reports have been addressed. Although the majority of responses to date did acknowledge the importance of our recommendations, we have seen little, if any, action in their implementation. We urge all our leaders to put aside their differences and to coordinate their efforts to resolve those issues focused in our investigations: our city's youth, the Byzantine salary structure and organization of our city government, the management of construction contracts which are projected to double in the next two years to over four billion dollars, the homeless problem, and the plight of our jail system.

Change is needed, and it can be achieved. Despite the disappointing responses, jury members have been impressed with the great number of dedicated managers and employees who have the ingenuity and enthusiasm for change. They know how to make our city better. We need to use their creative energies and to give them the power and the tools to make these changes. It is imperative that our city leaders lead this charge.

June 27, 1994

Our reports are the result of many thousands of hours of investigating complaints, taking testimony, interviewing concerned citizens, conferring with city officials, researching, and reporting. Facts were checked and rechecked. I would like to commend the members of this grand jury for their dedication and hard work.

It has been both a privilege and an honor to serve as their foreperson. I wish to convey my sincere gratitude to all my fellow jurors for their loyalty, integrity, knowledge, and humor. Their persistent dedication to solve the city's ills made my task easier and more gratifying.

I would like to express a special thanks to you, Judge Arata, for providing assistance and guidance when requested. Your patience and wise counsel were greatly appreciated.

Finally, I wish to express the appreciation of the entire civil grand jury to Messrs. Michael K. Tamony and Gary Giubbini, staff of the Superior Court, for their enthusiastic assistance and advice. We also are especially grateful to Mr. Burke Delventhal and the other deputy city attorneys for their prompt and definitive counsel. A special thanks to Deputy Sheriff Tom Bradley for his patient, professional support during our numerous and lengthy meetings.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Arnold K. Low', written in a cursive style.

Arnold K. Low, Foreperson
1993-1994 Civil Grand Jury

1993 - 1994
Civil Grand Jury
Reports

**City and County of
San Francisco, California**

Table of Contents

Members of the 1993 - 1994 San Francisco Civil Grand Jury	3
Civil Service	5
Classifications and Collective Bargaining.....	7
Senior Escort Program	21
Construction Contracts.....	29
New Jail Facility.....	31
Follow-up.....	39
Recreation and Park Department Golf Course Management.....	41
Surplus School Real Property	48
SFFD – Labor Cost Management	52
Jails.....	65
County Jails.....	67
Sheriff's Inmate Welfare Fund.....	78
Social Services.....	83
Emergency Hotel Shelter Program within General Assistance.....	85
Foster Care in San Francisco	95
Juvenile Justice.....	117

Members of the 1993 - 1994 San Francisco Civil Grand Jury

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### Staff

Michael Tamony

Gary Giubbini

Tom Bradley, Deputy Sheriff





## Civil Service

The 1993-1994 Civil Grand Jury was concerned that payroll costs for the City and County of San Francisco have been rising over the years (due to increases in the number of employees, increases in wage and salary levels and fringe benefits) while payroll costs have been falling in the private sector and other government agencies.

Passage of Proposition L by the voters in November, 1993, will lead to a number of improvements in the Civil Service system; however, many other costly and inefficient practices persist and are not being addressed. Some of these practices have been the subjects of two 1993 - 1994 Grand Jury reviews and reports.



## **Classifications and Collective Bargaining**

(Released: May 16, 1994)

### **Summary**

The 1993-1994 Civil Grand Jury reviewed applicable portions of the San Francisco Charter covering powers and duties of the Civil Service Commission, Civil Service Rules, documentation covering salary and classes of employees and the Federal Register, Part III from the U.S. Office of Personnel Management.

Interviews were held with the city attorney, members of the Civil Service Commission, staff of the Civil Service Department, the budget analyst for the Board of Supervisors, the controller and the director of employee relations. It is the consensus of persons interviewed that San Francisco has too many employees who consume 85 percent of the total city budget leaving little for support equipment for personnel to efficiently do their task. There is also an excessive number of civil service classes for the number of employees.

The following findings were made by the Grand Jury: (1) specifications between classes are so closely related as to duties and qualifications that consolidation of classes would be an effective tool in reducing the number of classes. (2) the Charter authorizes different procedures for the salary standardization process, thereby creating disparity in the wage setting process.

The Grand Jury recommends changes in the Charter and the Collective Bargaining Ordinance to reduce the excessive number of classes by restructuring the classification system and redefining the geographical areas used for salary comparisons.

## Background

San Francisco Charter section 366.1 sets forth the general powers and duties for the Civil Service Commission. The Commission shall classify and may reclassify all places of employment in the departments and offices of the City and County not specifically exempted by the Charter from civil service provisions.

While persons interviewed were unable to specifically state what the optimum numbers of employees should be, it is the consensus of the interviewees that San Francisco has too many employees with too little support equipment (i.e., computers) thereby providing a high level of service at a very high cost. The three largest providers of service in San Francisco are health, social services and transportation.

A major concern of the mayor, Civil Service Commission, Civil Service (now Human Resources Department) and the director of employee relations is the excessive number of classes in city service.

The Controller's Office Audit Report, dated January 21, 1993, identified critical areas negatively impacting the Civil Service system:

*Civil Service operates under two key requirements which limit its efficiency and effectiveness: the certification Rule of Three and the minimum eligible list duration of two years. The Rule of Three generally requires that the eligible with the top three scores be certified to the hiring manager for each vacancy. The minimum list duration of two years generally requires that no new eligibles be placed on the list until at least two years have lapsed. These requirements offer some value as controls over the employee selection system in trying to limit patronage or favoritism. However, in their current form, these requirements contribute to inefficiencies and ineffectiveness. For example, operating managers have difficulty in obtaining a good match between the position and the eligibles because of the limited choices under the Rule of Three and because fewer of the better qualified eligibles are available with the long duration of lists.*

*The Rule of Three and the Minimum Eligible List duration requirements have contributed to some of the following conditions:*

- *Growth in the number of classes;*
- *Backlog of examinations;*
- *Too many provisional employees;*
- *Lower output of examinations; and*
- *Fewer qualified candidates as lists age.*

The Civil Service Commission in response to the controller's Audit Report stated in part:

*In 1990 and early 1991, the Civil Service Commission -- aware of the problems in the System and the general sentiment that Civil Service System was not functioning with the efficiency and efficacy that it should -- held a series of public hearings.*

The Commission heard testimony from various City officials, City employees, employee organizations and community organizations:

*The Commission processed this input and, together with its own observations and perceptions, reached the following conclusions:*

- *There are too many provisional employees;*
- *There is an enormous backlog of examinations and as a result there are no eligible lists available for scores of classes;*
- *There were 1,800 classes -- about twice as many as the City should probably use.*

The budget analyst for the Board of Supervisors in a report dated April 1991 reviewed the salary standardization process for miscellaneous employees. The report indicated that Civil Service does not have a documented standard procedure for conducting the annual salary survey and recommends that the salary survey methods should be modified in order to assure the accuracy and validity of future surveys.



## Findings

The Civil Grand Jury conducted numerous interviews with individuals directly or indirectly charged with the administration of the City's enormous personnel system. A review of the applicable sections of the Charter, Ordinances, Administrative Code, Civil Service Manuals and Reports identified major problems and concerns with the present personnel system.

### A. Civil Service Classifications

- **Eighty-five percent of the City's budget represents cost of personnel, according to the Civil Service Classification Unit, (now the Human Resources Operations Division).**
- **As of November 1993 there were 1,698 classes of employees and 28,000 classified employees.**

According to the general manager of personnel, the city operates under a system designed for a smaller and much less complex entity.

One of the largest service areas of City and County government is the Department of Public Health (DPH). A survey provided by the Classification Unit of Civil Service for DPH reflects the following:

Table #1: Profile of Department of Public Health Civil Service Classifications

| DPH - Department Name   | Number of Positions | Number of Classes |
|-------------------------|---------------------|-------------------|
| Central Office          | 1,099               | 174               |
| Laguna Honda Hospital   | 1,266               | 124               |
| S.F. General Hospital   | 2,721               | 194               |
| Community Mental Health | 549                 | 87                |

- **A random selection and review of class specifications for DPH indicate that the narrow salary range between entry level compensation and maximum compensation has created more classes.**

Table #2: Salary Ranges for Positions in Department of Public Health

| Class                                        | Class Title                                   | Bi-weekly (Entry)<br>Compensation | Bi-weekly (Max)<br>Compensation |
|----------------------------------------------|-----------------------------------------------|-----------------------------------|---------------------------------|
| <b>I. Personnel Group</b>                    |                                               |                                   |                                 |
| 1202                                         | Personnel Clerk                               | \$1,022                           | \$1,237                         |
| 1203                                         | Personnel Technician                          | 1,243                             | 1,506                           |
| 1204                                         | Sr. Personnel Clerk                           | 1,185                             | 1,436                           |
| 1218                                         | Payroll Supervisor                            | 1,765                             | 2,145                           |
| 1220                                         | Payroll Clerk                                 | 1,180                             | 1,429                           |
| 1222                                         | Senior Pay/Per Clerk                          | 1,291                             | 1,565                           |
| 1224                                         | Principal Pay/Per Clerk                       | 1,470                             | 1,782                           |
| 1226                                         | Chief Pay/Per Clerk                           | 1,603                             | 1,946                           |
| <b>II. Hospital Administration Group</b>     |                                               |                                   |                                 |
| 2110                                         | Medical Records Clerk                         | \$1,083                           | \$1,310                         |
| 2112                                         | Medical Records Tech.                         | 1,220                             | 1,477                           |
| 2114                                         | Medical Rcd Tech. Sup.                        | 1,484                             | 1,800                           |
| 2116                                         | Assoc. Dir, Medical Rcds                      | 1,706                             | 2,074                           |
| 2117                                         | Chief Medical Rcds -<br>Laguna Honda Hospital | 1,881                             | 2,287                           |
| <b>III. Dietary &amp; Food Service Group</b> |                                               |                                   |                                 |
| 2604                                         | Food Service Worker                           | \$ 899                            | \$1,088                         |
| 2608                                         | Senior Food Service                           | 943                               | 1,163                           |
| 2618                                         | Food Service Supervisor                       | 1,078                             | 1,304                           |
| 2619                                         | Sen. Food Service Sup.                        | 1,185                             | 1,436                           |
| 2620                                         | Food Service Mgr Admin                        | 1,565                             | 1,899                           |

Although the salary range of the examples listed exceeds a 20 percent compensation range between classes, each class is so closely related as to duties, training and experience, knowledge, abilities and skills that consolidation of the classes is a viable method to consider for reduction in the number of classes.

Another example of extremes related to excess classifications is one of the smaller departments, the Art Commission (see below). There are 16 employees in the Department, ten of which represent different classes.

Table #3: Salary Ranges for Positions in Art Commission

| Class | Class Title                        | Bi-weekly (Entry)<br>Compensation | Bi-weekly (Max)<br>Compensation |
|-------|------------------------------------|-----------------------------------|---------------------------------|
| 1424  | Clerk Typist                       | \$ 956                            | \$1,158                         |
| 1450  | Executive Secretary I              | 1,261                             | 1,528                           |
| 1565  | Asst. Director, Art<br>Commission  | 1,731                             | 2,104                           |
| 1630  | Account Clerk                      | 989                               | 1,197                           |
| 1652  | Senior Account Clerk               | 1,136                             | 1,375                           |
| 3540  | Curatorial Aide                    | 862                               | 1,042                           |
| 3541  | Curator I                          | 1,027                             | 1,243                           |
| 3542  | Curator II                         | 1,414                             | 1,714                           |
| 3556  | Museum Registrar                   | 1,255                             | 1,520                           |
| 3563  | Dir., Neighborhood Arts<br>Program | 1,626                             | 1,975                           |

There are many similarities in the minimum qualifications for the listed classes, indicating that many of the duties overlap and fewer classes would be more appropriate for the Department.

A review of approximately 589 DPH job descriptions and ten Art Commission job descriptions also did not reflect a standard format for the definition of minimum qualifications.

- **Civil Service (CS) operates under two key requirements which limit its efficiency and effectiveness: the certification Rule of Three and the minimum eligible list duration of two years.**

These two requirements have contributed significantly to the growth of the number of classes.

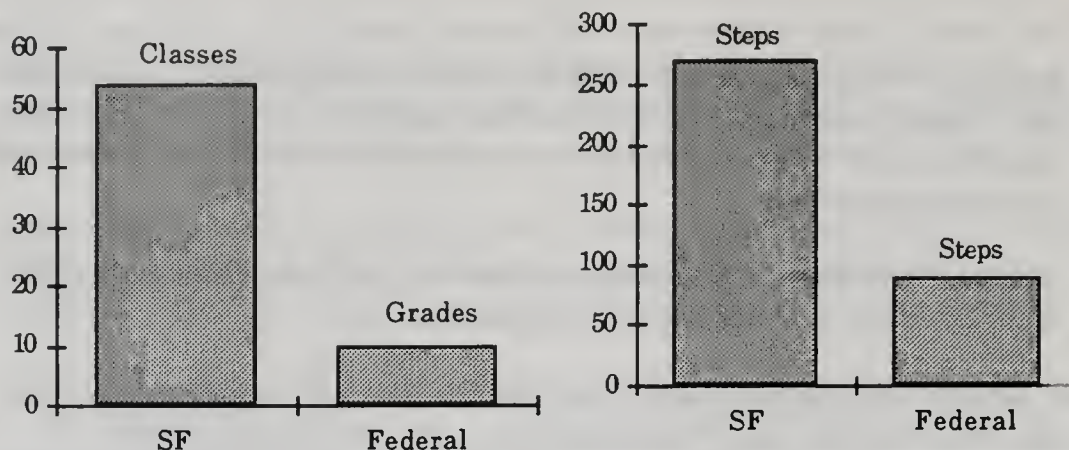


- **Passage of Propositions C, D & E amending and/or removing sections of the Charter to civil service rules granted authority to the Civil Service Commission to improve civil service procedures, modernize rules, and the testing process.**
- **Salaries of federal employees are defined in the Federal Register, Part III, U.S. Office of Personnel Management.**

1994 Salary Tables in this part of the Federal Register include rates of pay for the General Schedule (GS) employees, law enforcement officers, employees receiving interim geographic adjustments, the senior executive service employees in senior-level, and scientific or professional positions, administrative law judges, members of boards of contract appeals, and individuals covered by the executive schedule.

In the federal system, employees are identified by grade and step, GS-1 through GS-15. Each grade has 10 salary steps and the within grade increase amounts vary as to GS-1 and GS-2, and is standard as to GS-3 through GS-15. The within grade increase amount is approximately 3.23 percent. Law Enforcement Officers (LEO's) use the same grade and steps schedule as GS employees; Senior Executive Service (SES) schedule has six grades; Senior Level (SL) and Scientific or Professional (ST) schedule has annual minimum and maximum rates; Administrative Law Judge's (ALJ) schedule has eight grades with an annual rate, and Members of Boards of Contract Appeal's (BCA) schedule has three grades and an annual rate.

The General Schedule is a simple classification system compared to the cumbersome classification system used by the San Francisco Civil Service System. The graphs below compare how the San Francisco clerical series would fit within the federal general schedule (GS). The San Francisco system has 500% more classes than the federal grading system and greater than 300% more steps than the federal system. The maximum clerical salary in San Francisco of \$58,516 is in the top 15% of all federal salaries paid in the Bay Area.



Use of a grade and step classification system for city and county employees would address two major problems of concern within the Civil Service System (1) the excessive number of classes in the system and (2) the rate of compensation paid for experience levels within a class.

The Charter authorizes three different geographic areas to set salaries for City employees . . . national, state and the Bay Area while the federal system uses locality based comparability payments made up of 28 locality pay areas, e.g., SF-San Francisco-Oakland-San Jose, California.

#### B. Salary Standardization

- **Passage of Proposition L is a step forward in consolidating and centralizing the functions of the City and County's personnel system.**

Passage of Proposition L transferred authority over City personnel matters to the Human Resources Department. It establishes the Human Resources Department, but does not modify the current methods used for setting wages, hours, benefits and other terms and conditions of employment for officers and employees of the City.

- **The Charter authorizes four different methods to set salaries for employees and covers three geographical locations -- Bay Area, State and National -- while the federal system uses comparability payments of 28 locality pay areas.**

There are significant differences in the City's salary standardization process that creates disparity in wage setting. The following excerpts from the Charter define the criteria for setting compensation for employees:

*Sec. 8.401 Compensation of Officers and Employees Subject to Salary Standardization.*

*The compensation fixed ... shall be in accord with the generally prevailing rates of wages for like services and working conditions in private employment or in other comparable governmental organizations in this state.*

*Sec. 8.402 Compensation of Teachers, Part-Time Employees and Certain Other Groups.*

*Compensation ... shall be fixed by the department head in charge thereof, with approval of the board or commission, if any, in charge of the department concerned and subject to the budget and appropriation provisions of this Charter.*

*Sec. 8.403 Compensation for Registered Nurse Classifications.*

*... the Civil Service Commission shall certify to the Board of Supervisors ... highest prevailing salary schedule ... granted by collective bargaining agreement to comparable registered nurse employees in public and private employment in the Counties of Alameda, Contra Costa, Marin, San Mateo, San Francisco and Santa Clara.*

*Sec. 8.404 Salaries and Benefits of Carmen.*

*... the Civil Service Commission shall certify to the Board of Supervisors ... the average of the two highest wage schedules in effect on July first of that year for comparable platform employees and coach or bus operators of other surface street railway and bus systems in the United States ...*

*Sec. 8.405 Salaries of Uniformed Forces in the Police and Fire Departments.*

*...the Civil Service Commission shall survey and certify to the Board of Supervisors rates of compensation paid police officers or patrol officers employed in the respective police departments in all cities of 350,000 population or over in the State of California.*

- **Proposition B, a Charter amendment passed in November 1991, authorizing collective bargaining, fails to set a standard procedure.**



This process is influenced by political pressure exerted by the more than 40 separate unions representing the different classes of employees. The method of interpreting prevailing wages for like service and working conditions in the public and private sector may result in an overly compensated range for a class of employees, e.g., compensation for craft workers in the private sector may be based on seasonal work vs. City employees who are not affected by the seasonal element.

The Charter, originally drafted in 1932 imposes strict and narrow guidelines for personnel functions and any changes in the Charter regardless of how minor they are require ballot measures for voter approval. This process for change is extremely inefficient and costly. The size of City government in 1994 is enormous and a major restructuring as to how the City does business must be addressed.

## Recommendations

### A. Civil Service Classifications

1. The Board of Supervisors should, by way of Charter revision, grant the Human Resources Department the authority to restructure the personnel classification system and to implement a classification and salary table similar to the one in use by the U.S. Office of Personnel Management.
2. The Classification Unit of Civil Service should develop a standard written format to clearly define class specification, and to require that specifications contain (a) characteristics of the class; (b) duties; (c) minimum qualifications consisting of training and experience, knowledge, abilities and skills. Special requirements of a class, if any, should be clearly defined.
3. Civil Service should require that managers requesting establishment of a new class comply with the prescribed format for a class specification and provide adequate documentation to support the creation of a new class.
4. Civil Service should consolidate classes with comparable specifications into a single class with a broader salary range and step levels to reflect additional training and experience.

### B. Salary Standardization

5. The Board of Supervisors should place on the ballot a proposition to amend the Charter by removing specific rules relating to personnel procedures from the Charter. The specific rules removed should be placed in the Civil Service Rules. The Charter should be further amended to reflect guidelines for operation and implementation of the rules.

The present salary standardization procedure creates disparity in wage setting and the Charter should be amended to: (a) equalize the procedures for setting salaries with the same formula for all classes (b) change the formula to set rate of pay with equal weighting of public and private salary data, and (c) use of the same geographic areas for all classes.

The Charter should be amended to address the excess pay scales by setting a ceiling on salaries in order that no position be paid more than the prevailing wage in the public sector.

6. The Board of Supervisors should amend the Collective Bargaining Ordinance to impose a financial cap on salaries. If any award exceeds the prevailing wage in the community, approval by the Board of Supervisors would be required.



**Appendix A: Civil Service and Related Provisions of the Charter**

- 3.100-2 Meet and Confer Authority
- 3.103 Employee and Relations Officer
- 3.500 Powers and Duties of Boards and Commissions
- 3.501 Department Heads
- 3.660 Commission, Composition Meetings
- 3.661 General Powers and Duties of Civil Service Commission
- 3.662 Department of Human Resources
- 3.663 Human Resources Director
- 3.681 Powers and Duties (Health Service Board)
- 3.682 Medical Director or Executive Officer
- 6.405 Funding for Civil Service Commission Examinations
- 8.100 Qualifications of Officers and Employees of the City
- 8.101 Surety Bonds
- 8.102 Absence from State
- 8.103 Dual Office Holding
- 8.104 Vacancies
- 8.105 Conflict of Interest and Other Prohibited Practice
- 8.106 Penalty for Official Misconduct
- 8.107 Suspension and Removal
- 8.200 Creation of and Changes in Positions-Procedures
- 8.300 Civil Service Positions
- 8.300-1 Civil Service Positions-Additional Exceptions
- 8.310 Declaration of Personnel Policy
- 8.311 Prohibition of Political Activity
- 8.320 Qualification of Applicants (deleted effective 12/13/91, incorporated into CSC Rules as Rule 8A)
- 8.320-1 Incorporating Former Charter Provisions
- 8.321 Examination (deleted effective 12/13/91, incorporated into CSC Rules as Rule 9A)
- 8.322 Protest of Written Answers and Questions (deleted effective 12/13/91, incorporated into CSC Rules as Rule 9B)
- 8.323 Protest of Tentative List of Eligibles (deleted effective 12/13/91, incorporated into CSC Rules as Rule 10A)
- 8.324 Veterans Preference in Examination (deleted effective 12/13/91, incorporated into CSC Rules as Rule 9C)
- 8.325 Aid, Hindrance, Fraud and Collusion in Examinations
- 8.326 Promotions in General
- 8.327 Promotions in Uniformed Forces of Police and Fire Departments
- 8.328 Promotional Examinations for Employees on Military Leave (deleted effective 12/13/91, incorporated into CSC Rules as Rule 9D)
- 8.329 Certification of Eligibles
- 8.330 Duration of Lists of Eligibles (deleted effective 12/13/91, incorporated into CSC Rules as Rule 10B)
- 8.331 Limited Tenure Appointments (deleted effective 12/13/91, incorporated into CSC Rules as Rule 12A)
- 8.332 Temporary and Emergency Appointments (deleted effective 12/13/91, incorporated into CSC Rules as Rule 12B)

- 8.333 Appointments During an Unemployment Emergency
- 8.340 Dismissal During Probation Period (deleted effective 12/13/91,  
incorporated into CSC Rules as Rule 6A)
- 8.341 Dismissal for Cause (effective through August 31, 1992)
- 8.342 Disciplinary Suspension
- 8.343 Fine, Suspension and Dismissal in Police and Fire Departments
- 8.344 Exoneration of Charges
- 8.345 Disciplinary Action Against Striking Employees
- 8.346 Disciplinary Action Against Striking Employees Other than  
Members of Police and Fire Departments
- 8.350 Disability Transfers
- 8.351 Automation Transfers
- 8.360 Civil Service Rules
- 8.361 Military and War Effort Leaves of Absence
- 8.363 Leave Due to Illness or Disability
- 8.400 General Rules for Establishing and Paying Compensation
- 8.401 Compensation of Officers and Employees Subject to Salary  
Standardization
- 8.401-1 Duration of Compensation Schedule
- 8.402 Compensation of Teachers, Part-Time Employees and Certain  
Other Groups
- 8.403 Compensation for Registered Nurse Classification
- 8.404 Salaries and Benefits of Carmen (MUNI)
- 8.405 Salaries of Uniformed Forces in the Police and Fire Departments
- 8.406 Salary Deductions
- 8.407 Definition of Prevailing Rates of Wages
- 8.407-1 Compensation Adjustments
- 8.408 Pay Freeze and Reduced Work Week for Fiscal Year 1988-1989
- 8.409 Declaration of Policy
- 8.409-1 Employees Covered
- 8.409-2 Interim Provisions
- 8.409-3 Obligations to Bargain in Good Faith
- 8.409-4 Impasse Resolution Procedures
- 8.409-5 Retirement Benefit
- 8.409-6 Employees Relations Rules
- 8.420 Establishment of and Membership in Health Service System

## Senior Escort Program

(Released: June 3, 1994)

### Summary

The Senior Escort Program (SEP) is charged with escorting and transporting poor and fragile seniors within the City and County of San Francisco. The Police Department has jurisdiction over SEP because it began as a crime prevention program. Attempts to transfer the program to other agencies have failed because no other city department is willing to administer the program.

In addition to SEP, many senior centers located throughout the City have provided Escort and Transportation services to their members for many years. Recently eleven such centers have joined together to form the California Minority Aging Coalition (CMAC). They operate under the jurisdiction of the Commission on The Aging, and they propose to replace SEP with less costly and more efficient and extensive services to the City's elderly citizens. The coalition has submitted a proposal to the City for providing escort and transportation services.

A comparison of the costs of the proposal for services submitted by SEP and CMAC is given below:

| Agency | <u>Total Cost</u> | <u>Units of Work</u> | <u>Cost Per Unit</u> |
|--------|-------------------|----------------------|----------------------|
| SEP    | \$1,800,000       | 46,909               | \$38.37              |
| CMAC   | \$ 890,000        | 168,720              | \$ 5.38              |

The CMAC proposal provides three times more service at less than half the cost of the SEP proposal. Moreover, this proposal is submitted by a group of providers with a long and successful history of providing escort and transportation services to senior citizens in San Francisco. However, the Board of Supervisors rejected the CMAC proposal and continued the services of SEP.

The 1993-1994 Civil Grand Jury strongly recommends that the Board of Supervisors replace SEP with a program such as that proposed by CMAC.



## Background

In 1978, the Police Department and a private non-profit program called Safety Awareness for Everyone (SAFE) started a senior escort program in the Tenderloin. It was funded through the Commission on The Aging and named the Senior Escort Program (SEP). By 1983, the program was under the jurisdiction of the Police Department and had extended its services to other parts of the City. Since then the program has come under frequent and severe criticism.

The Board of Supervisors requested a management audit from their budget analyst and the results of his audit were submitted to the Board on January 21, 1992. The audit concluded that the escort and transportation services could be provided more efficiently, effectively and economically by combining the services of SEP with the para-transit program operated by the Municipal Railway. He also recommended that SEP be removed from the Police Department and put under the jurisdiction of the Commission on The Aging. The analyst interviewed the department heads of Police, Health, Social Services and Recreation and Park. They all agreed that each of their respective departments was unwilling and/or unsuitable to manage such a program.

The Police Department stated that SEP would function best under "an affiliation with an existing public service or social service agency (where) SEP would be better able to serve the growing senior population, and to expand and improve the range of SEP services".

The controller's Audit Division also reviewed SEP in 1988 and 1992. The findings were similar to those of the budget analyst. In both audits, SEP was found to be an inefficient and costly operation with uneven service delivery.

## Findings

- **The California Minority Aging Coalition (CMAC) can provide more extended and efficient escort and transportation services to the senior citizens of San Francisco than those currently provided by the City-operated Senior Escort Program.**

CMAC's original eleven affiliates are located throughout the City and provide a broad range of services including escort and transportation, meal service and delivery, health services, emergency funds, recreation, educational services and crafts, exercise and fitness programs and a congenial atmosphere for seniors to relax and socialize. Their primary goal is to delay or prevent institutionalization and to allow seniors to lead a functional life. CMAC's affiliates are:

Bay View Hunter's Point Senior Center  
Bernal Heights Community Center  
Centro Latino de San Francisco  
Philippine American Council Senior Center  
John King Senior Center  
Korean Center  
Mission Neighborhood Center  
North of Market Senior Center  
Portero Hill Neighborhood House  
Self Help for the Elderly  
Western Addition Senior Center

- **SEP functions as a single, small entity within the Police Department offering only escort and transportation services.**

SEP staff are only available for escort and transportation service 51% of the time. The SEP staff has an excessive paid leave time of 22% and spends 27% of the time on "ancillary services." These services include phone contact, translation and information dissemination. The eleven senior centers under CMAC provide these ancillary services free, provided largely by volunteers.

CMAC has an active volunteer program in which seniors earn credits toward services when they need them. Senior center directors report that senior volunteers in the program often benefit as much as do the seniors receiving their services.



CMAC can accommodate the services currently being provided by SEP. CMAC proposes to discontinue costly individual van service and use group cluster vans instead. Individual escort service will continue, but in transportation other than vans. Walking escort and patrol services will be expanded, using the savings realized in changing the van services from individual to group uses.

An example of SEP providing unnecessary and costly individual services is best exemplified in its servicing kidney dialysis patients. An SEP escort picks up the patient, delivers the patient to the dialysis center, waits at the dialysis center about four hours while the dialysis is being performed and then takes the patient home. By comparison, CMAC picks up dialysis patients and delivers them to the dialysis center where they are met by center personnel. When the treatment ends, the staff calls the Senior Center who in turn radios the van to pick up the patient(s) and deliver the patient(s) to their home(s).

Thus, while an SEP employee spends most of the day serving one patient, CMAC uses one employee with a group of patients and serves other seniors during the time dialysis is being performed on the group.

- **SEP is plagued by low morale problems. The staff has a high sick leave record, a high rate of disability, and high rate of problem employees with excessive tardiness and absenteeism.**

Both the budget analyst and the controller have found that the agency has: 1) no clearly defined purpose; 2) poorly established policies and procedures; 3) no training program; 4) no established program for evaluating client feedback; 5) inadequate data collection and internal control; and 6) little facility to respond to recommendations to improve its operations.

In marked contrast, the John King Senior Center has been serving Visitation Valley and surrounding areas since 1979. The center raises its own funds and develops its own programs. Currently, they are providing 22,000 rides annually in their escort and transportation program and offer a wide variety of other services.

- **Because of its high salary levels and benefits, SEP can never be competitive with other non-profit agencies offering similar services.**

Although SEP activities are largely limited to Escort and Transportation, they are classified as Crime Prevention Workers (CPW). This classification dates back to 1978 when their assignment to a high crime area seemed to warrant more highly trained personnel than driver or escorts. The Deputy Sheriff Classification is the bench mark for the CPW classification.

Therefore, this classification receives the same percentage increases that deputy sheriffs receive. According to a Board of Supervisor's budget analyst report (January 21, 1992, Management Audit of the SEP p. 2), the Escort and Transportation program has little connection with crime prevention and that the service could be handled by less costly drivers and escorts.

- **The Escort and Transportation service has continued to exist under SEP despite its high cost per unit of service because senior citizens in a small area of the city receive all the service and are vocal opponents of any change. They are supported by SEP employees' union lobbying to retain jobs for its members.**

There are only 43 staff members at SEP, but because they provide a politically sensitive service, it is often risky to oppose such a program or to support changes in it. These conditions are compounded in this era of high spending and waste by a city that pays its workers more than is paid for comparable work in the private sector.

The areas of the city served by SEP are restricted to the eastern third of the City as shown in sections A through G on the map provided in Appendix A. When the Board of Supervisors consider service proposals that offer service limited to a small group, they overlook providing the greatest good to the greatest number.

CMAC proposes to serve the entire City.

- **SEP provides a valuable service but is provided only to a limited number of seniors at a very high cost.**

The budgets submitted by each agency and expenditure allocation are shown below:

|                        | <u>SEP</u>  | <u>CMAC</u> |
|------------------------|-------------|-------------|
| Budget                 | \$1,800,000 | \$890,00    |
| Passenger Vans         | 6           | 11          |
| Dispatch Locations     | 4           | 7           |
| Units of Service *     | 46,909      | 168,720     |
| Costs Per Unit         | \$38.37     | \$5.28      |
| Percent of City Served | 33%         | 100%        |
| Lift Vans              | No          | Yes         |

\* Units of service are of three types:

- 1) Walking Patrol – a unit is one escort walking with one senior who requests or needs assistance;
- 2) Transportation – a unit is one senior transported one way either alone or in a group, on either public or private transportation; and
- 3) Service Arrangement – a unit is one hour spent by staff doing any other kind of service for seniors.

**Recommendations**

1. The Board of Supervisors should substitute a more cost effective program for the Senior Escort Program (SEP). Other non-governmental agencies, including the California Minority Aging Coalition (CMAC), should be allowed to bid on providing escort and transportation services to the senior citizens throughout the City and County of San Francisco.
2. Such crime prevention work as is now performed by SEP should be transferred to existing units of the Police Department.



# San Francisco Police Department Senior Escort Program Districts



- A North of Market/Tenderloin
- B Chinatown
- C Western Addition
- D South of Market
- E Mission
- F Potrero Hill
- G Bayview-Hunters Point



## **Construction Contracts**

The 1993 - 1994 Civil Grand Jury examined the process and procedures used by the City in the contracting and management of construction resulting in one report addressing the new jail facility.

This examination used the new jail facility as a case study of contracting procedures. The findings revealed extraordinary delays in decision making by the City's political leaders. Their inability to reach a timely decision on the requirements for the jail almost doomed the project and contributed directly to subsequent delays and cost increases.

The report also identified problems in design contractor selection and oversight and recommends appropriate changes in City procedures.



## **Construction Contract Management: The New Jail Facility**

(Released: March 24, 1994)

### **Summary**

The construction of the new jail facility has taken more than 8 years from initial planning to near completion with a current net cost overrun projection of \$3.5 million. This Grand Jury report traces the trail of indecision, delay, and confusion that surrounded the planning for and construction of this facility.

The city's elective officials, their appointive citizen commissions, and the city's managers failed to make timely decisions about the purpose of the facility, despite the urgings of both the 1987-88 and 1988-89 Civil Grand Juries. The resulting delays in the start of the architectural design directly contributed to the eventual increase in cost of the facility and to the delays in its completion.

This Grand Jury recommends that the mayor and the Board of Supervisors collaborate on a policy to monitor the city's decision making process resulting in assurances that available state and federal funds are secured without danger of delay or loss.

It further recommends:

- i) improvements in the evaluation of architectural design proposals; and
- ii) the expanded use of contract management services on major construction projects.

## Background

In 1986 California voters passed State Proposition 52 to provide state funds for the construction and renovation of jail facilities. In 1988 the voters passed State Proposition 86 for the same purpose. Between these two state propositions, San Francisco was eligible to receive in excess of \$39 million for jail facility construction and renovation.

The conditions placed on the city by Proposition 52 included the requirement to establish a committee of representatives of both the local criminal justice system and the public to evaluate jail conditions and needs and to develop a 20-year master plan for the jails. An additional important condition of Proposition 52 required that construction work using these funds must be awarded and that work begin by September 30, 1990.

In response to these requirements, the Jail Policy and Planning Advisory Committee (JPPAC) was formed in April 1987. This committee comprised a broad spectrum of the criminal justice system, representatives of the mayor's office, the Board of Supervisors, and the public. Under its direction, a needs analysis and master plan study was completed by the National Council on Crime and Delinquency (NCCD) in October 1988.

After extensive debate, and after having scrutinized jail problems and possible solutions for two years, JPPAC submitted its final report to the Board of Supervisors in mid-April 1989.

On September 23, 1988, the State Board of Corrections which supervises the Proposition 52 funds reminded city officials of the September 30, 1990, deadline to start construction. Despite the urgency of this deadline, the Board of Supervisors referred the issue to the mayor's Criminal Justice Council (MCJC) for further review.

In September 1989, 11 months after the State's "deadline reminder", the Board of Supervisors decided that there was insufficient time remaining to meet the new facilities construction start deadline and voted to spend the Proposition 52 funds to upgrade or expand other jail facilities and programs. This decision was severely criticized by both public and criminal justice authorities. An example of this criticism was reported in "Decision Not to Expand Jail Is Short-Sighted, Judge Says", San Francisco Daily Journal (September 14, 1989). The Honorable Lucy McCabe, then presiding judge of the San Francisco Superior Court criminal division, stated: "The court was always absolutely in favor of using the money for new jail beds. The short-sightedness of the decision is alarming."

The Loma Prieta earthquake in October 1989, presented an opportunity to justify an extension in the construction start deadline. The Sheriff's Department requested and received an extension in the start date to June 30, 1991.

In February 1990, 10 months after the JPPAC report was submitted to them for urgent action, the then mayor and the then Board of Supervisors approved the new facility construction.

An architectural design contract was awarded to a joint venture partnership which had been formed for the purpose of bidding this contract. Unfortunately, the time allotted for the architectural design and preparation of construction drawings was less than one year. According to the Bureau of Architecture, the desired design time for a project of this scope is 18 months. The relatively short time that was available significantly increased the risk of the project.

Further complicating this project were the internal difficulties experienced by the architectural design joint venture. The details of this venture, including how the work load would be divided between the partners, were not fully developed at the time of the contract award. After the award, conflicts occurred between the partners, seriously damaging the orderly development of the design. The joint venture was dissolved prior to the completion of their contract. Other delays resulted from disagreements among the Arts Commission, the city planning director and others over the aesthetic design of the building.

The construction contract went out to bid in February 1991, and was awarded in April, 1991. The notice to proceed with construction was issued on June 30, 1991, in compliance with the final state deadline to release the funds.

As of this writing, the project is approximately 97 percent complete and is expected to be completed in the fall of 1994. In December 1993, an additional \$3.5 million was appropriated from the city's general fund to cover the increased costs and to complete the project.



## Findings and Recommendations

### A. Decision Making Process

#### Finding

- **Previous grand jury reports warned of the chaotic nature of the city's decision process which was delaying the start of the new jail facility and the need for immediate action, but these reports apparently were ignored. In reviewing this process, the 1988-89 Civil Grand Jury, in its report issued in July 1989, stated:**

"Despite the high caliber of many individuals involved with the detailed analysis of the problem, the Grand Jury finds the procedure through which the city and county is attempting to resolve this debate and qualify for funding to be chaotic. The process since the JPPAC report was submitted to the Board of Supervisors in April fails to meet the lowest standards for ordered and competent decision-making.

"Opposing sides have had sufficient time to present their arguments. A solid plan, scrutinized by budget analysts, is urgently needed. The MCJC's tardy and sporadic involvement in these discussions has halted progress toward earning BOC [Board of Corrections] approval. The council has met only twice in the last two months to consider these complicated issues and no further meetings are scheduled to date. Speculation that the BOC will grant an extension to the city and county in meeting deadlines for securing Proposition 52 funds is presumptuous based on the BOC's response to questions on that subject to date."

The 1988-89 Grand Jury recommended that:

"The president of the Board of Supervisors should calendar the JPPAC report and recommendations for public hearing immediately. Discussion should begin with a clear statement of the intent behind Propositions 52 and 86, and a review given of the limitations on the types of facilities and services for which the funds can be used.

"Propositions 52 and 86 represent over \$40 million in available funds to the City and County. These funds should be used for one

significant and affordable plan that results in more bed space as JPPAC recommends."

A year earlier, the 1987-88 Civil Grand Jury had stressed the need for timely action when they recommended that:

"The Board of Supervisors, the sheriff's office, the Jail Policy and Planning Advisory Committee and all other county agencies who have a role in the acquisition of Proposition 52 funding must immediately collaborate on, jointly produce and adhere to a detailed project plan."

The failure of the two San Francisco political bodies, the then Board of Supervisors and the then mayor, to coordinate the functions of their respective appointive citizen groups (the JPPAC, MCJC, Arts Commission, etc.) severely damaged the process of a timely application for state bond funds for the new jail facility. The result was costly delays in the development of the design and in the construction contract award.

### **Recommendation**

1. The mayor and the Board of Supervisors should collaborate on a policy to monitor the city's decision making process assuring that available state and federal funds are secured without danger of delay or loss.

## B. Management Oversight

### **Findings**

- **The Bureau of Architecture's design proposal evaluation of the new jail facility failed to identify the potential for conflict between the joint venture partners.**
- **The Bureau did not provide adequate oversight during the design phase of the project to assure the delivery of complete and coordinated construction documents.**

The Bureau's failure to identify potential for conflict and to provide adequate oversight during the design phase resulted in an unusually high number of change orders during construction. These change orders have been a major cause of significant cost overrun and delays in project completion.

The use of contracted management services to aid the Bureau in overseeing the architectural design was justified by the nature of the design and by the relatively short time frame made available to complete the design task. However, while such services are being used successfully in the construction phase of the project, they were not employed during the design phase.

### **Recommendation**

2. Those city departments responsible for the evaluation of architectural design proposals should require, as a part of a standard rating procedure, that the project management team acquire a thorough understanding of the organizational and work breakdown structures of prospective contractors. In the case of the new jail facility, the responsible department was the Department of Public Works. This recommendation, however, should also be adopted by the Port of San Francisco, the San Francisco Airport and the Public Utilities Commission (PUC).
3. To assure the highest quality in both architectural design and construction, all city entities which manage construction contracts should expand the use of contracted management services on all major capital projects.
4. The mayor and Board of Supervisors should take appropriate actions to assure that above recommendations and controls are implemented.

**Appendix A: Schedule of Significant Project Events**

| <b>Elapsed Time</b> | <b>Date</b>       | <b>Event</b>                                                                                                                                                    |
|---------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                     | 1986              | <ul style="list-style-type: none"> <li>• State Proposition 52 passes providing funds for new jail facility.</li> </ul>                                          |
| 5 months            | April 1987        | <ul style="list-style-type: none"> <li>• Jail Policy and Planning Advisory Committee (JPPAC) formed</li> </ul>                                                  |
| 22 months           | September 1988    | <ul style="list-style-type: none"> <li>• State Proposition 86 approved</li> <li>• State Board of Corrections stressed construction start deadline.</li> </ul>   |
| 23 months           | October 1988      | <ul style="list-style-type: none"> <li>• Master Plan study completed by National Council on Crime and Delinquency submitted to board of supervisors.</li> </ul> |
| 29 months           | April 1989        | <ul style="list-style-type: none"> <li>• JPPAC submits final report to board of supervisors</li> </ul>                                                          |
| 35 months           | September 1989    | <ul style="list-style-type: none"> <li>• Board of supervisors determined that there was not sufficient time left to complete the project.</li> </ul>            |
| 36 months           | October 1989      | <ul style="list-style-type: none"> <li>• Loma Prieta earthquake provided reason for an eight month extension to start construction.</li> </ul>                  |
|                     | Fall 1989         | <ul style="list-style-type: none"> <li>• Joint venture firm selected to be architects.</li> </ul>                                                               |
| 40 months           | February 1990     | <ul style="list-style-type: none"> <li>• JPPAC report approved by board of supervisors.</li> </ul>                                                              |
| 52 months           | February 1991     | <ul style="list-style-type: none"> <li>• Construction documents released for bid.</li> </ul>                                                                    |
| 54 months           | April 1991        | <ul style="list-style-type: none"> <li>• Contractor selected.</li> </ul>                                                                                        |
| 56 months           | June 30, 1991     | <ul style="list-style-type: none"> <li>• Notice to proceed with construction issued.</li> </ul>                                                                 |
| 88 months           | February 14, 1994 | <ul style="list-style-type: none"> <li>• Board of supervisors expands facility use designation from "work furlough" to "unrestricted correctional".</li> </ul>  |
| 89 months           | March 1994        | <ul style="list-style-type: none"> <li>• Estimated construction completion 97%</li> </ul>                                                                       |
| 93 months           | Fall 1994         | <ul style="list-style-type: none"> <li>• Projected completion date.</li> </ul>                                                                                  |







## Follow-up

**F**or many years members of the San Francisco Civil Grand Jury have been proud of the reports they have written, but disappointed in how little improvement resulted from their work.

This year's Civil Grand Jury reviewed past Grand Jury recommendations and the replies made to them. It was discovered that many recommendations were either never answered or answered incompletely. In these instances follow-up reports were issued.



## **Recreation and Park Department Golf Course Management**

(Released: April 5, 1994)

### **Summary**

In February 1993, the preceding (1992-1993) Civil Grand Jury released a report citing a number of deficiencies in Recreation and Park Department's management of the Harding Park and Sharp Park golf courses.

The terms and conditions for the operation of both courses are spelled out in two separate leases entered into in 1983 and that still are in effect. The Recreation and Park Department is responsible for monitoring lease compliance.

Last year's report pointed out numerous instances of non-compliance by lessees at both golf courses which have resulted in substantial revenue loss to the city.

The 1993-1994 Grand Jury has taken a second look at the management and operation of the golf courses and find that some of the instances of non-compliance reported last year have been corrected. However, several instances of non-compliance continue. This follow-up report focuses on continuing non-compliance. Monitoring of lease compliance by Recreation and Park continues to be inadequate. Performance audits are not conducted. Furthermore, Recreation and Park is aware of lease violations which often are not promptly or adequately corrected.

## Background

Last year's Grand Jury investigated and reported on Recreation and Park Department's management of the city owned Harding Park and Sharp Park golf courses. Their report revealed:

1. Recreation and Park entered into two separate leases on April 28, 1983, providing the terms and conditions for operation of the Harding Park and Sharp Park golf courses.
2. Both leases are still in effect; and
3. Recreation and Park is responsible for monitoring lease compliance but lacks effective procedures to ensure compliance. The report listed numerous instances of non-compliance with key lease provisions and concluded:

*The inadequacy of record keeping and the failure to monitor lease compliance ... have resulted in a loss of revenue to the City and in a failure of the lessees to complete all capital improvement and repairs.*

Ten specific recommendations were made to Recreation and Park for remedial action needed to address the findings of non-compliance.

The general manager of the Recreation and Park Department responded to the Grand Jury report in letters to the Board of Supervisors and to the presiding judge of the Superior Court. The responses asserted that steps had been taken to correct most instances of cited non-compliance. However, the responses also acknowledged that several instances of non-compliance had not been corrected.

On February 16, 1994, the controller's audit division released a report on the Sharp Park golf course. The primary purpose of the audit was to determine if the Sharp Park lessee had complied with lease provisions for revenue reporting and payment. A secondary purpose was to determine if the lessee had fully complied with the lease provisions for capital improvements. The findings regarding both areas of inquiry strongly substantiate the Grand Jury findings of non-compliance with lease provisions and cite additional instances of non-compliance.

## Findings

- **The capital improvements, amounting to \$575,000, required of the lessee at Sharp Park still have not been completed.**

As consideration for the lease, the Sharp Park lessee was required to pay \$575,000 for specific capital improvements to the golf course buildings. All improvements were to be completed in three stages by April 22, 1988:

Stage 1 - Improvements to the clubhouse costing a minimum of \$250,000, and construction of a cart enclosure area and a practice driving cage at a cost of \$25,000. Improvements were to be completed within the first year of the lease.

Stage 2 - Construction of a deck at the west side of the clubhouse and an underground concealed power cart storage and maintenance facility at a cost of \$150,000. Construction was to be completed within two years of beginning operation.

Stage 3 - Construction of an enclosed deck to be used as a banquet room at a cost of \$150,000. Construction was to be completed by the fifth year of operation.

The 1992-1993 Grand Jury made the following findings regarding non-compliance with Sharp Park lease provisions for capital improvements:

*The expenditure of \$575,000 in capital improvements by the lessee at the Sharp Park golf course has not yet been made. The extent of capital improvements made to date cannot be determined until the lessee delivers to the City verified copies of all contracts or orders, as required by the lease. This has not been done. The City allowed the lessee to delay making the capital improvements at the Sharp Park course because of the storm damage during the winters of 1982 and 1983 which caused the loss of four holes. This delay is not authorized by the lease. The golf course has been repaired at City expense, and for each of the past eight years the annual rounds of golf have exceeded those played during 1981.*

Recreation and Park acknowledged that last year's findings were correct and stated "Recreation and Park staff have now secured a commitment from the concessionaire at this facility to complete the required improvements." This response is insufficient. The non-compliance reported last year still persists.



As of this writing, lessee had not constructed the banquet room which was to have been completed by April 22, 1988. Recreation and Park did not pursue this violation until January 19, 1993, after which the lessee agreed to construct the banquet room at an estimated cost of \$195,401.

- **The extent of capital improvements to Sharp Park cannot be determined.**

The lease provides that verified copies of all contracts or orders for improvements be furnished to Recreation and Park prior to commencement of each improvement. This has not been done.

Recreation and Park advised the controller's audit division in a January 10, 1994, memorandum, that Stage 1 capital improvements had been completed and that certain supporting documentation had been received. The documentation shows that some of the improvements claimed by lessee as capital improvements were not in fact capital improvements. Instead they were for regular maintenance of the premises for which lessee is responsible under the lease. The total amount claimed by the lessee for Stage 1 capital improvements was \$548,641.33. The amount allowed by Recreation and Park was \$255,164.58 — \$19,835.42 less than the \$275,000.00 expenditure required for Stage 1 improvements.

The controller's audit report concluded that Stage 1 improvements by lessee have been completed, but documentation was insufficient to determine if completion was timely.

- **The controller's audit report revealed that Recreation and Park waived Stage 2 construction of a deck and an underground power cart storage and maintenance facility at a cost of \$150,000. The lease was never formally modified to reflect the waiver.**

Informal arrangements between Recreation and Park and its golf course lessees that alter lease requirements, procedures, or intent, are inappropriate because such arrangements are often contrary to formally agreed upon lease provisions and good business practices.

- **Continuing non-compliance with lease provisions for capital improvements has resulted in substantial financial loss to the City since:**

- (a) **full consideration for the lease has not been received;**
- (b) **revenue which would have been generated and paid to the City has not been realized; and**
- (c) **the dollar value of improvements not yet completed is not comparable to the value of improvements completed on a timely basis.**

Under lease provisions for rent, a percentage of revenue derived from operation of the banquet room, had it been built, would have been paid to Recreation and Park since 1988.

- **Lessees at Harding Park and Sharp Park have not maintained source documentation sufficient to permit Recreation and Park to accurately compute gross revenue.**

Both the Harding Park and Sharp Park leases require payment of various specified percentages of gross revenues and submission of revenue statements to Recreation and Park by the 10th day of each month for the preceding month. Both lessees are required to maintain source documentation sufficient to permit the City to compute the gross revenue accurately.

Last year's Grand Jury made the following findings regarding non-compliance with these provisions:

*The source documentation, sufficient to permit the city to compute accurately the gross revenue has not been maintained at either course.*

Recreation and Park was not entirely responsive to this finding.

- **Annual financial statements from lessees are not prepared by independent certified accountants and are not always submitted on time.**

Both Harding Park and Sharp Park leases provide that detailed financial statements be prepared annually, at lessees' expense, by independent certified public accounts approved by Recreation and Park. The statements are to be furnished to Recreation and Park within 90 days of fiscal year-end.

Last year's Grand Jury report revealed that no annual statements had been furnished for a number of years and that those furnished earlier had not

been prepared by certified public accountants. Recreation and Park acknowledged that the findings were correct. They added that after the lessees had been notified that they must comply with the lease provisions they had done so.

This year's Grand Jury finds that for the first time since the beginning of the lease, Harding Park's financial statement was signed by a certified public accountant. However, the accountant was an employee of the lessee and not an independent auditor approved by Recreation and Park, as required by the lease.

- **The golf course operations utilize systems which are inadequate to control and track income generating activities.**

Hand-written starter sheets are often incomplete. This makes it difficult to audit and reconcile them to cash records. Abuses have been known to occur, such as favoritism in the assignment of starting times.

Computer software programs are commonly used at other golf courses in the United States to produce source documents needed for sound reliable financial controls. The software controls and assigns starting times and records players' names, identification numbers, classifications, and fees paid. It also computes total receipts by classifications by day and month.



## Recommendations

1. The Recreation and Park Department should: (a) insist on strict compliance with the provisions in the Harding Park and Sharp Park leases, and (b) conduct regular and systematic performance audits. The golf course should be run on a more business-like basis.
2. The Recreation and Park Department should refer any lease violation which is not corrected promptly, to the city attorney for appropriate action.
3. The Recreation and Park Department should require the lessees to submit all financial statements and other documents in a timely manner.
4. The Recreation and Park Department should insist that annual statements be prepared by independent certified public accountants approved by them.
5. The Recreation and Park Department should demand increased indemnification for uncompleted capital improvements at Sharp Park to reflect inflation since 1983. Such an increase should be negotiated in recognition of the fact that the City would have realized more revenue had the agreed-upon capital improvements been made in a timely manner.
6. The Recreation and Park Department should not make any informal alterations of lease provisions. All alterations of a lease must be made in writing as a formal modification of the lease.
7. The Recreation and Park Department should continue to explore the feasibility of using computerized systems to provide reliable source documents essential for good business practices and control.

## Surplus School Real Property

(Released: January 19, 1994)

### Summary

The San Francisco Unified School District has taken no action on the recommendations of the 1992-1993 Civil Grand Jury regarding surplus real properties. Therefore, this Civil Grand Jury (1993-1994) repeats those recommendations.

Although the District has recently completed a two-volume proposed plan for facilities, such plan makes no mention of its surplus real properties. Another report furnished to the District over a year ago lists 10 significant real estate parcels which are surplus to District needs. Examples are Grant School in Pacific Heights, a site vacant since the building was demolished in 1974, and Corbett School whose building is vacant, deteriorating and being vandalized.

Prompt action should be taken to dispose of them as soon as prudent business practices permit. Doing so will 1) transfer the particular properties to the tax rolls, and 2) furnish some funds with which the District can make urgently needed repairs on its other properties.

### Background

As used in this report, "Surplus Properties" are those real properties owned or controlled by the San Francisco Unified School District for which there are no projected future student needs.

Last year's Grand Jury made the following recommendations with respect to surplus real properties of the District:

"The Board of Education should request permission from the State of California's Office of Local Assistance to enable San Francisco Unified School District to dispose of surplus property in accordance with Section 39360 of the California Education Code;

"The superintendent should bring the Simmons report<sup>1</sup> before the School Board for action at the earliest opportunity;



"The Board of Education should follow the recommendations of the Simmons report regarding sales of long-term ground leases. Care must be given not to set minimum bids at unrealistically high levels so as to foreclose interest in the properties. An appraisal of all such properties by a licensed professional appraiser would be an appropriate first step;

"The superintendent should recommend to the Board that small parcels which are surplus to the needs of the District be sold immediately, thereby adding to the City's tax base and providing capital for the improvement of the District's physical facilities."

Four of the more significant properties were identified as:

- a. Grant School, 2940 Pacific Avenue, which was demolished in 1974. The site has been vacant for 19 years;
- b. Corbett School, 500 Corbett Avenue. The building is vacant, deteriorating and repeatedly vandalized;
- c. Jose Ortega School, 400 Sargent Street, unused for 15 years; and
- d. I.M. Scott School, 1060 Tennessee Street, unused for two decades.

For the last three years the District has had under retainer a real estate specialist investigating unused school properties. In July 1992 he issued a well-documented report reflecting (1) his study of demographic trends within individual areas of the City and (2) his determination that the subject properties were unnecessary for future student needs. The report estimated the then value of one parcel at between \$6.5 and \$7.5 million, another between \$1 and \$2 million, another between \$0.5 and \$1 million, with others of lesser value which add up to a considerable aggregate amount.

## Findings

1. The 1992 Surplus Property Report has never been officially released, let alone acted upon. Last Year's Civil Grand Jury urged the Board of Education to follow its recommendations.
2. This Civil Grand Jury (1993-1994) has pursued the matter with the School Administration and the Board of Education. There still is no action on these recommendations. The District's response is that "given the state of the real estate market locally and nationally, it is unlikely that significant value could be achieved from the properties described." This familiar response has been made for over 20 years: "now is not the right time."
3. The District still has no plans for disposition of its surplus real property.  
  
Meanwhile, the unused properties remain idle. Nearby residents complain of the eyesore and the City is deprived of the taxes the properties would yield if they were in private hands.
4. San Francisco Center, located on District-owned land, is an example of a criticized transaction which turned out well. When the current 60-year land lease was signed in 1983, some said that the \$1,000,00 annual rent was too low. However, the operation of the lease's Escalator Clause now provides the District with annual rental income of \$1,333,224.
5. The District contends that it suffers from a chronic shortage of funds and that it could improve its performance if only it had more money. Additional funding can come only from increasing taxes, issuing bonds or leasing or selling surplus assets. Given the existence of Proposition 13 and the fate of recent bond elections, it seems that leases or sales of surplus assets are the only assured sources of more money.

## Recommendations

1. The District should immediately develop a formal plan to sell or lease all of its surplus real properties.
2. The superintendent should investigate title to all unused real properties to be certain that they are clear and that the properties are readily transferable.
3. The School District should place its surplus real properties on the market subject to the understanding that it will not entertain offers for less than fair market value. Market values do fluctuate. To minimize the risk of disposing of property at the wrong time, the disposal should be scheduled over enough time to occur at both market highs and lows, while still trying to get funds into use as early as possible.

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<sup>1</sup> A study issued in 1992 entitled "Surplus Property and the District Real Estate Portfolio - A Strategic Approach".

## SFFD - Labor Cost Management

(Released: June 17, 1994)

### Summary

The Civil Grand Jury investigation of San Francisco Fire Department's (SFFD) policies and practices in the management of labor costs has revealed:

1. A system of excessive overtime and holiday payments so pervasive and long standing that it has become part of the culture of the Fire Department.
2. Labor/Management relations which are extraordinarily one-sided. Except for the top four officials, SFFD management is represented by the Fire Fighters Union and the top four's salary and benefits are directly linked to the negotiated agreement with the Union. While it is reasonable to expect that management would be involved in managing labor costs, it is shocking to find that Fire Department's management actually has an incentive to support increasing the Department's labor costs.
3. Large, unauthorized payments being made to the top two administrative officers of the Department with the full knowledge of the Chief.
4. An ineffective overtime and holiday work reporting system which conceals, rather than reveals, the number of hours actually worked.

The Grand Jury found that recent actions by the mayor and/or Board of Supervisors, to include the tabling of the Municipal Executive Association's MOU for SFFD top management, and the reduction of certain holiday pay budgets, have been steps in the right direction, but have merely scratched the surface of the need. Strong financial control of SFFD labor costs is needed. The Board of Supervisors should insist, and the mayor should direct, that detailed financial goals and procedures be established for the Department, and that the Fire Commission and the Fire Department be held accountable for achieving those goals.

The Grand Jury specifically recommends that the mayor direct the Department of Human Resources and the Controller's Department to conduct a comprehensive audit of SFFD compensation practices and make specific recommendations for action by the mayor, the Board of Supervisors, and the Fire Commission. The review should, at a minimum, cover the following areas:



- i) management responsibilities for control of labor costs;
- ii) SFFD practices concerning pay for work on holidays;
- iii) all ongoing (non-emergency) overtime scheduling;
- iv) SFFD overtime and holiday time reporting system; and
- v) compensatory time off practices.

The Grand Jury further recommends that the controller immediately cease payment of all unauthorized salary payments, recover overpayments that have been made, and review the controller's own procedures to assure that unauthorized payments will not be made in the future.



## Background

The San Francisco Fire Department (SFFD) enjoys a well deserved reputation as one of the country's finest fire departments. The excellence that it demonstrates in fighting fires and responding to other emergencies is, however, dramatically missing in its management of labor costs. The tug of war between SFFD's traditional emphasis on "taking care of its own" and the City's efforts to contain labor costs is "no contest" – the paycheck invariably wins. The managers of the SFFD have historically disclaimed any responsibility for the management of overtime and holiday costs. In fact, they benefit from excessive payments.

SFFD management, however, is not entirely to blame for the lack of rigorous labor cost control. The absence of persistent, aggressive, and responsible leadership from City Hall over the past decades has sent a clear message to the SFFD that its one-sided administration of overtime payments was acceptable. In addition, Department management face tremendous pressure from the work-force to maintain, and when possible increase, income and benefits. No doubt some of the pressure stems from the fact that reducing overtime and holiday pay costs would deprive a portion of the work-force, (particularly senior management and non-suppression personnel<sup>1</sup>), of income to which they have long become accustomed and which they consider to be their right.

## Findings and Recommendations

### A. Memoranda Of Understanding

#### Findings -

- **The linking of management and non-management labor MOUs creates a financial incentive for the Department's top management to allow Fire Department labor costs to grow. As a result, SFFD management has essentially abdicated the inherent responsibility of all managers to control labor costs.**

All uniformed and other professional employees of the SFFD are covered by one of two memoranda of understanding (MOU). One is between the City and the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO (Union) and covers all Fire Department personnel except the Department Chief, the two Department Deputy Chiefs and the Assistant Deputy Chief, and civilian employees. The Department Chief and Deputy Chiefs (the four top positions within the Department) are covered by an MOU between the City and Municipal Executives Association (MEA). Other employees (non-uniformed) are covered by the Salary Standardization Ordinance.

The Union's MOU is effective from July 1, 1991 to June 30, 1995. The MOU with the MEA was to have run from July 1, 1993 to June 30, 1995, but it has not yet been approved by the Board of Supervisors. The principal provisions of both MOU are the same. The MEA MOU incorporates by reference, the Union MOU provisions for Health Plan, Dental Plan, Retirement Contributions and Staff Duty Assignment Pay, and provides that the salary differential between the two groups will be maintained. Therefore, any salary increase for Union-represented employees would also be received by top management.

- **Despite the Board of Supervisor's decision to defer action on the MEA MOU, Fire Department management knowingly allowed two of the Department's four top managers to receive significant salary benefits authorized only in this unapproved MOU.**

A change is essential in the way the SFFD is administered if the City is to take control of the spiraling labor costs in this Department. To be successful and fair, this change should start at the top. The recent tabling by the Board of Supervisors of the MEA MOU, which would have resulted in large increases in salaries and benefits to the top SFFD managers at a time when many other City employees are being denied even small increases,

was a very important first step. The Civil Grand Jury commends the Board of Supervisors for this responsible action.

The Board's will, however, has been frustrated. Although the MEA MOU was not approved, the Grand Jury's investigation has revealed that two of the four SFFD top managers covered by this MOU have been receiving significant salary benefits which would have been part of that MOU. Since July, 1992, the Deputy Chief, Administration, and the Assistant Deputy Chief, Administration, have been receiving unauthorized Staff Duty Assignment Pay, which is almost 8% of their base salary. When asked by the Grand Jury, the Chief acknowledged that he was aware of the payments but he did nothing to stop them.

It is the opinion of the Grand Jury that the failure of these top officials to bring these unauthorized payments to the attention of the proper authorities was an inexcusable dereliction of their responsibilities.

As a result of the Grand Jury's investigation of the unauthorized payments of the Staff Duty Assignment Pay, the Controller's Department became aware of this situation and has stated that they will discontinue future payments to the Deputy Chief and Assistant Deputy Chief and will take steps to recover the unauthorized payments which have already been made.

### **Recommendations -**

The Grand Jury recommends that:

1. The mayor immediately direct the Department of Human Resources (DHR) to develop plans to uncouple the salary and benefits of the SFFD senior management from that of the lower level management and rank-and-file of the SFFD and thereby create a financial separation between the management and non-management personnel. The division should be at the Battalion Chief (H40) level and above. This action by DHR should include recommending any Charter and Ordinance amendments which may be required. The DHR should also begin discussions with the Local 798 Union and MEA to coordinate the details of the changes. The resultant changes should be implemented no later than the expiration of the current Union MOU.
2. The Board of Supervisors actively participate in the accomplishment of the above changes. They should initiate any necessary legislation or Charter amendments needed.



3. The mayor encourage the Fire Commission to participate with the Department of Human Resources in developing strategies for the equitable control of salary and benefit costs. This effort should include the formulation of guidelines and goals for managing labor costs. The guidelines should replace the practice of making individuals financially "whole" by allowing them to work overtime or holidays, with practices which increase the labor cost effectiveness of the Department. They should also include the elimination of all holiday work which is not absolutely essential, and drastically reduce the overtime worked in non-suppression areas. This should be a continuing responsibility of the Fire Commission.

4. The mayor and Board of Supervisors make public their support of the Fire Commission and SFFD top management in affecting the changes which result from the above actions.



## B. Overtime and Holiday Pay

### **Findings**

The Civil Grand Jury was surprised at the intensity with which SFFD personnel have traditionally manipulated a loosely controlled system of compensation to enhance their income. The drive for overtime pay, particularly that resulting from working on holidays, has so permeated the Department that it has become part of the culture of SFFD. Further, there seems to be a perceived need to make sure that everyone gets their "fair share" of overtime and holiday pay.

- **It is a long standing practice in the Department for non-suppression personnel to give up their Christmas, Thanksgiving, and other holidays to work at non-critical activities in order to be paid an additional time-and-a-half for days worked.**

This abuse of manipulating work schedules to perform non-critical functions on holidays at holiday pay rates is practiced from the Chief on down. As of mid-May in the current Fiscal Year (FY 1993/94), the Chief has been paid for working on five of the ten authorized holidays to date. The Deputy Chief, Suppression, has been paid for working on seven of the ten holidays.

Recently, the Board of Supervisors reduced the non-suppression holiday pay budget to a point which ended the wasteful practice of allowing certain personnel to work on holidays doing tasks which could be accomplished during normal working hours. This action, while another excellent initiative to control costs, should have been initiated by the Fire Commission and Fire Department top management. It should not be necessary, nor is it appropriate, for the Board of Supervisors to micro manage the SFFD through budget manipulations.

There is an extraordinary lack of restrictions on payments of overtime and holiday pay to SFFD management and professionals. While professionals and managers in other City departments receive no overtime pay and limited compensatory time off in lieu of pay, SFFD routinely pays for overtime and grants unlimited compensatory time off to even its most senior managers. It is unjust for the City to ask an employee earning \$40,000 or \$50,000 a year to work extensive overtime without compensation while paying, for example, an Assistant Chief, whose base pay is more

than \$90,000 per year, almost \$13,000 in overtime payments as was done in 1993.

- **Increases in the workload in non-suppression areas are not accomplished by increases in the efficiency of the unit or even increases in staff, but are seen as an opportunity for more overtime.**

A 1987 consent decree required increases in the training workload, specifically for special training and tutoring. Instead of finding a cost-effective approach to this new challenge, the Division of Training's solution was for everyone to work overtime. Thus, for the last several years the professional trainers have all been working overtime. According to the Controller's Department, in 1993 the Lieutenant instructors each were paid between 28 percent and 31 percent above their base pay in overtime/holiday pay, and their Captains earned 25 percent overtime/holiday for the entire year. The Division will presumably continue this practice indefinitely unless directed to do otherwise.

The solution to the staffing requirements for the Fireboat Company, again, is for everyone to work overtime. In 1993, the three pilots and three marine engineers assigned to that company each received between 21 percent and 33 percent in overtime/holiday pay.

Another arrangement to spread the overtime/holiday payments around is the new "Staff Duty Assignment Pay," which compensates staff personnel with holiday pay by means of a bi-weekly pay supplement, even though they do not work holidays. This subject is addressed later in this report.

## **Recommendations**

The Civil Grand Jury recommends that the mayor, the Board of Supervisors and the Fire Commission take the following action as applicable to their respective responsibilities:

1. Audit the SFFD's overtime and holiday pay practices to identify opportunities where increased efficiencies and/or staff which will reduce overtime expenditures. The emphasis should be on increased efficiency through innovative change.
2. Direct the Chief of Department to implement changes identified by the above audit and other initiatives developed with the Department.

3. Reduce the overtime and holiday pay budget to levels identified in the above audit.
4. Eliminate all overtime and holiday pay to:
  - a) All senior managers, battalion chiefs and above; and
  - b) All non-suppression, 40-hour per week professionals and managers (H19 and above).
5. Eliminate the policy of paying for accumulated compensatory time at the time of retirement.
6. As is practiced in many other City departments, restrict the end-of-year carryover of accumulated compensatory time to no more than 80 hours.



### C. Staff Duty Assignment Pay

#### **Findings**

- **Department management seeks indirect means to increase compensation of all non-suppression personnel by paying staff for holidays whether staff works those holidays or not.**

Section 26 of the current Union MOU contains a new provision for compensating non-suppression, 40 hour-per-week management and staff personnel for holiday work even if they do not work the holiday. Non-suppression staff does not normally work on holidays. This provision, which was proposed by SFFD management, was supposedly intended to "make the staff whole" by paying them holiday pay as if they were members of the emergency response forces. Of course, as members of the emergency forces they would be needed on the holidays and might actually work on these days. The additional bi-weekly pay is approximately 7.9 percent of the employees pay rate and is the equivalent of paying them for having worked all 11 regular holidays plus three floating holidays at time-and-a-half rate.

The SFFD management and staff which are receiving this payment are listed in Appendix A. Since the personnel in these positions do not normally work on holidays the City should not pay for these days. If increased compensation is justified for any of these positions, appropriate action should be taken to establish the proper salary rates.

The Deputy Chief for Administration and the Assistant Deputy Chief are covered by the unapproved MEA MOU and are not authorized to receive the Staff Duty Assignment Pay. They have, however, been receiving these payments since July, 1992.

#### **Recommendations**

The mayor should direct the following actions:

1. That the City Attorney and the Department of Human Resources determine if there is a legal means to delete this provision from the current Union MOU. Because this was proposed by Department management, the Union should have few objections to striking it from the MOU.
2. That the controller immediately stop the unauthorized payment to the Deputy Chief for Administration and the Assistant Deputy Chief, and take steps to recover all unauthorized payments that have already been made.



Further, the controller should review its own procedures to assure that unauthorized payments will not be made in the future.

3. That the Department of Human Resources (DHR) reopen negotiations with the Municipal Executives Association and delete the MOU provision for the Staff Duty Assignment Pay without a quid pro quo.

4. That the DHR investigate the origins of this provision and take appropriate steps to insure that this type of give-away not again be included in any City labor agreement.

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<sup>1</sup> The term "suppression" is used by the SFFD to mean "fire fighting."

**Appendix A: Staff Duty Assignment Pay Recipients**

1. Deputy Chief - Administration
2. Assistant Deputy Chief
3. Lieutenant, Investigative Services Bureau
4. Assistant Chief - Airport
5. Assistant Chief - Fire Prevention
6. Assistant Chief - Support Services
7. Assistant Deputy Chief II - Management Services
8. Battalion Chief - Bureau of Communications
9. Captain - Support Services
10. Firefighter - Bureau of Equipment
11. Assistant Chief Division of Training
12. Lieutenant - Administration
13. Firefighter - Stress Unit
14. Firefighter - Stress Unit
15. Firefighter - Stress Unit
16. Firefighter - Management Services
17. Firefighter - Management Services
18. Battalion Chief, Bureau of Assignments
19. Lieutenant, Bureau of Assignments
20. Lieutenant, Bureau of Assignments
21. Lieutenant, Bureau of Assignments
22. Assistant Chief - Bond Program
23. Captain - Bond Program



## **Jails**

**P**ursuant to the provisions of Penal Code § 919(b), the Grand Jury toured the San Francisco County Jail facilities, including the new facility under construction at the Hall of Justice. Several members of the Jail Committee also toured the Contra Costa Detention Facility in Martinez, CA.

The committee focused on specific areas in the Sheriff's Department that had not been addressed by prior Grand Juries.

Numerous meetings were held with staff of the Department, all of whom were most cooperative and helpful.

Two reports were released concerning the jail facilities:

1. **County Jails**

Emphasis on more efficient use of personnel, installation and implementation of an automated intake/release system and alternative funding for a new jail facility to replace the main jail (County Jail #3 in San Bruno).

2. **Sheriff's Inmate Welfare Fund**

Areas of non-compliance with applicable statutes in the administration of the Inmate Welfare Fund were identified and recommendations made to achieve statutory compliance.





## County Jails

(Released: March 14, 1994)

### Summary

The Grand Jury examined three aspects of the jail operation:

1. Review of compliance with the annual evaluation reports of the San Francisco Department of Health, the San Francisco Fire Department, the State Fire Marshal, and the 1992-1993 Grand Jury report;
2. Progress in reducing jail overcrowding; and
3. Use of existing staff and the need for additional staff.

The Grand Jury identified environmental deficiencies in the jails, problems with the outdated system of keeping records, and jail overcrowding.

The Grand Jury recommends more efficient use of personnel. All clerical functions performed by deputy sheriffs should be assigned to clerks for an annual savings of 33-1/3 percent.

An automated intake/release system should be implemented.

The mayor, supervisors and sheriff should seek an alternative solution for the funding of a new jail to replace county jail #3 in San Bruno.

## Background

Pursuant to the provisions of Penal Code Section 919(b) the 1993-1994 Civil Grand Jury examined the condition and management of the county's jail facilities.

County Jail #1 (Hall of Justice, sixth floor) is the main intake facility responsible for initial booking and processing of persons arrested. In addition to the intake and release activity occurring in County Jail #1, it is the main information source for phone inquiries from attorneys, the courts, probation and parole officers, other law enforcement agencies, and the public.

County Jail #2 (Hall of Justice, seventh floor) houses maximum security pretrial felony prisoners and maximum security felony prisoners awaiting sentencing.

County Jail #3 (main jail and oldest facility, San Bruno) houses medium- to low-security pretrial felony prisoners, medium- to low-security felony prisoners awaiting sentencing, and some sentenced misdemeanor prisoners who are security problems.

County Jail #7 (Program facility, San Bruno) houses sentenced misdemeanor prisoners, provides educational and vocational programs for prisoners and substance abuse counseling and referral.

At County Jails #8 and #9 (Hall of Justice under construction), the first floor was conceived and designed to act as a central intake and release area for the entire Department. The second floor up through the fifth floor is a 444 bed facility originally conceived and designed to house 368 work furlough eligible prisoners, 38 sub-acute medical prisoners and 38 sub-acute psychiatric prisoners. There are six housing areas, or pods, that begin on the second floor. Each pod consists of two stories, with the second story being a mezzanine that is open to the first story. Since the jail population, as of October 1993, was at least 80 percent pre-sentence, it is unlikely that the facility will house more than one pod of work furlough eligible prisoners. The bulk of the population will most likely be pre-sentenced men and women.

The new facility may have an impact on the jail overcrowding problem and may reduce the fines paid as a result of a federal court order. There is no definite date set to open the facility, and the intake/release section is not scheduled for opening due to a lack of funding.

## Findings and Recommendations

### A. County Jail #1

#### Findings

- **The annual evaluation report of the San Francisco Department of Health revealed the following:**
  - i) Environmental - There were seven deficiencies listed. Deficiencies listed in the report have been corrected or measures taken to make corrections.
  - ii) Nutrition - Meals are provided by County Jail #2; See findings for County Jail #2, below.
  - iii) Medical/mental health - Operational procedures meet the regulations.
- **County Jail #1 is the main intake facility responsible for initial booking and processing of persons arrested, a manual record keeping system is used to update booking cards and record court activity.**

On occasion more than 400 transactions occur in a 24-hour period. The system is also used for telephone inquiries.

- **The booking of a person arrested is part of a semi-automated system.**

The Court Management System (CMS) has been in operation since 1974. It was conceived as an information processing system to track criminal defendants from arrest to disposition. The archaic technology does not permit capture of data necessary to effectively update records. Extensive and redundant manual operation is required to update records such as entry of court activity.

The research and development section of the Sheriff's Department presented a three-year master plan for a new Defendant Tracking System (DTS) to the Electric Information Processing Steering Committee (EIPSC), a committee that oversees the data processing activity of the city.



The cost/benefit analysis of the plan reflects a one time cost of \$3,505,711.00 and a hard dollar quantifiable annual savings of \$1,600,00.00 through permanent staff reductions.

- **The San Francisco Sheriff's Department has no civilian employees working in the intake/release section, whereas other agencies use civilian employees in their jail operation.**

For example, the Martinez Detention Facility under the jurisdiction of the Contra Costa sheriff/coroner uses civilian employees in the booking area and property room.

The booking area of the county jail is staffed by Sheriff's Department sworn personnel. The training for a new deputy sheriff costs from \$1,800.00 at the San Francisco Police Academy to \$8,000.00 at Los Medanos Junior College. Their entry level salary is \$37,154.00. The deputies are under a retirement plan that is contracted through the California Public Employees Retirement System (PERS) at a cost to the City and County in an amount equal to 20.9 percent of the total payroll for deputy sheriffs.

By comparison, the salary and benefits for a clerical series employee is 31 percent less than a deputy sheriff. The entry level salary for a clerk typist is \$25,454.00. Clerical employees are under the city's retirement system for miscellaneous employees at a cost to the city and county in an amount equal to 5.39 percent of the total payroll for miscellaneous employees.

- **The present booking procedure requires that police officers deliver arrestees from district police stations to County Jail #1 for processing.**

Depending on the number of prisoners being booked, inmate release activity, and the time of day, a police officer may be involved in the booking process for several hours, thereby preventing the officer from being available to perform other police duties.

- **The sheriff also provides security for all Superior and Municipal Courts except the Traffic Courts.**

Security in Traffic Court is provided by police officers handling traffic protest matters.

- **Storage of records is fragmented and maintained in several locations.**

Detainers and holds are now identified by a police letter attached to a prisoner's booking card.

### **Recommendations**

1. Sworn personnel responsible for record keeping should be replaced with a Civil Service Clerical Class. The clerical staff would work under the direct supervision of sworn personnel.

The sheriff must assess the way departmental staff are deployed. Budget constraints can no longer allow only sworn personnel to perform duties that could be done effectively by clerical series employee.

2. Deputies replaced by clerical staff should be assigned to duties consistent with their training as peace officers and their experience in transporting prisoners. The sheriff should be responsible for picking up prisoners from district police stations. When a deputy is not transporting prisoners, the deputy should be assigned to areas specifically under the jurisdiction of the sheriff (e.g., replacing police officers assigned to a court).

3. The sheriff should install an on-line system to replace the manual intake/release procedure and establish a central records division providing easier access to inmate information.

**B. County Jail #2****Finding**

- **The annual evaluation report of the San Francisco Department of Health revealed the following.**
  - i) The environmental evaluation cited 34 violations, 15 of which require additional funding to correct. Of the remaining 19 violations, some have been remedied and others are awaiting replacement parts or installation. For example, 80 percent of all showers have been replaced with stainless steel units. The remaining showers and stainless steel toilets are to be installed.
  - ii) Nutritional evaluation - All recommendations made in the evaluation have been implemented.
  - iii) Medical/mental health evaluation - Areas out of compliance are problem areas for all four jail facilities. They require administrative action. All areas of non-compliance should be addressed and appropriate action taken before next year's review.

**Recommendation**

4. The Board of Supervisors and the mayor should approve the sheriff's budget request for funds to make necessary repairs and correct the deficiencies that are violations of state regulations. The continued failure to correct the areas of non-compliance could result in costly sanctions.

**C. County Jail #3****Findings**

- **The deficiencies in this facility identified in prior Grand Jury reports are now more severe in their impact on the problems with this jail.**
- **The annual evaluation report of the San Francisco Department of Health revealed the following.**

**i) Environmental evaluation:**

- Food service - numerous recurring structural deficiencies were noted, such as the inadequate and unreliable tray washing machine, lack of tray drying racks, deteriorated floors, walls, windows, inadequate ventilation, and electrical supply.
- Stored foods are now adequately protected from plumbing leaks and mice.
- Amount of time between the dishing up of hot meals and actual delivery should be reduced to under 30 minutes to maintain proper temperature.

**ii) Laundry:**

- Clothing exchanges for prisoners have not met minimum standards. One of the three washers is out of order.
- Numerous showers, windows, toilets, and water fountains need repair or replacement.
- Five major repair jobs and equipment requests have been referred to the sheriff's budget officer and capital improvements coordinator.
- Nine minor repairs are to be completed as the budget permits. The food service contractor has provided corrections for three major deficiencies in the kitchen.

**iii) Nutritional evaluation:**

- All recommendations made in the evaluation were noted and implemented.



A noteworthy program has been introduced by the food service director at County Jail #3. A major restaurant through the general manager and executive chef expressed excitement in participating in the Second Chance Program, an apprentice training program for ex-offenders specializing in culinary arts skills.

The food service director is commended for her caring and positive approach in a program to help provide job opportunities for ex-offenders.

iv) Medical/mental health evaluation

- Operational and procedures meet regulations.

### **Recommendation**

5. The Board of Supervisors, mayor, and sheriff should make a joint, concerted effort to seek funding for the building of a new, much-needed facility.

Based on the current financial crisis in the City and the general economic state facing the electorate of San Francisco, it is unlikely that a bond issue to replace this ancient and outmoded facility would pass.

**D. County Jail #7****Findings**

- **This facility makes use of a concept of management and design known as direct supervision.**

This concept was developed by the Federal Bureau of Prisons in the 1970's and has been adopted by many jail administrators in the United States. The facility provides educational and vocational programs for prisoners, substance abuse counseling, and general counseling services.

The director and the staff are to be commended on the development and implementation of programs offered to prisoners.

- **The Department of Public Health environmental evaluation identified heat/ventilation and structure safety hazards, and the fire marshal's report reflected eight deficiencies.**

Work either has been completed or is in progress in correcting the deficiencies cited in the most recent reports of the Department of Public Health and of the state fire marshal.

- **Overcrowding continues to plague the jails.**

Corrective measures taken to date, such as renting cells in Alameda County, are only temporary solutions. Compliance with the Federal Court Mandate has created a drain on funds that could be used to correct some of the deficiencies in other facilities.

The high count of prisoners with detainees, holds, or federal prisoners continue to negatively impact the overcrowding problem. As of July 1, 1993, there were 2,267 prisoners in custody, and 603 prisoners had detainees or holds representing 26.35 percent of the total jail population.

Immigration and Naturalization Service (INS) activity remains at a high level. From June 1, 1993, to August 18, 1993, there were 150 INS pickups and 160 active holds placed on county jail prisoners.

When more than a quarter of the jail population is ineligible for jail alternative release, the ability to reduce the jail population is extremely limited.

### Recommendations

6.. The police and sheriff should be granted more authority to identify illegal aliens and notify the proper agency of their "in custody" status. Release of illegal aliens to INS would help in reducing the inmate population. Prisoners with detainers should be removed from the county jail at the earliest possible time for release to the jurisdiction that lodged the detainer.

7. The District Attorney should give a high priority to cases involving defendants with detainers. Early disposition of these cases would have a significant impact on the reduction of the jail population.

**List of Terms**

|                               |                                                                                                                        |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Detainer -                    | A writ to continue holding a person already in custody.                                                                |
| Hold -                        | A procedure to retain a prisoner in custody pending release to another agency.                                         |
| Jail Alternative -<br>Release | The sheriff's 4004 Penal Code program which places pretrial and sentenced prisoners in community residential programs. |
| OR Release -                  | Release on own recognizance.                                                                                           |



## **Sheriff's Inmate Welfare Fund**

(Originally released: May 24, 1994)

### **Summary**

Operation of the Inmate Welfare Fund was investigated by the 1993-1994 Civil Grand Jury. The Inmate Welfare Fund (gross total was \$652,237.35 as of June 30, 1993) is comprised of all moneys and property accrued through operation of facility commissaries, telephone commissions, vending machine income, and contraband.

Authorization for establishing and administering the fund is provided by statute. The Civil Grand Jury found that the sheriff has no written policy regarding appropriate use of the fund, and the accounting practice relating to the fund is inconsistent.

The Civil Grand Jury recommends formation of a committee to:

1. administer the Inmate Welfare Fund;
2. establish guidelines through a written policy for use of the funds; and
3. provide programs for all the jail facilities.

**Background**

The operation of the Inmate Welfare Fund which is administered by the sheriff of the City and County of San Francisco was investigated by the 1993-1994 Civil Grand Jury based in part on a written complaint received from an inmate housed in County Jail #2.

Penal Code (PC) section 4025 and section 4026 and California Code of Regulations (CCR) section 1043 sets forth the procedures governing the administration of Inmate Welfare Funds.

Statutes grant authority for the sheriff of each county to establish, maintain, and operate a commissary store. Any profits from the sale of commissary items and any funds received from a telephone company shall be deposited in an Inmate Welfare Fund to be kept in the treasury of the county.

## Findings

The Grand Jury interviewed members of the Sheriff's Department who are responsible for activities involving the fund such as source of income, expenditures, and accounting.

- **The Sheriff's Department has failed to comply with CCR § 1043.**

California Code of Regulations, section 1043, Inmate Welfare Fund - Accounting, states:

- (a) Each facility administrator shall develop a written policy regarding the appropriate use of Inmate Welfare Funds in accordance with PC section 4025.*

The San Francisco Sheriff's Department has no written policy setting forth the appropriate or intended uses of the Inmate Welfare Fund.

Penal Code section 4025 was amended in 1993 to require that the money and property deposited in the County Inmate Welfare Fund be expended by the sheriff *primarily*, rather than *solely*, for the benefit, education, and welfare of the inmates confined within the jail. It also provides that any funds that are not needed for the welfare of the inmates may be expended for the maintenance of county jail facilities.

Since the amendment expands the criteria for uses of the Inmate Welfare Fund, it is imperative that the sheriff clearly define in a written policy proportional uses for the Inmate Welfare Fund and state with specificity "the maintenance of county jail facilities."

- **The sheriff has failed to comply with the regulations governing accounting of the Inmate Welfare Fund.**

Penal Code section 4025, subsection (d) provides in part -- An itemized report of expenditures shall be submitted annually to the Board of Supervisors, and California Code of Regulations section 1043 (a)(2) provides that a biennial audit be completed by a party other than the agency responsible for administering the fund.

The audit division of the Controller's Office has no record that a biennial audit had ever been performed on the account. The office for the Board of

Supervisors was able to provide only one copy of an annual report filed by the Sheriff's Department.

- **The accounting procedure used by the sheriff's accounting division is inconsistent regarding the itemized expenditures.**

Itemized reports provided to and reviewed by the 1993-1994 Civil Grand Jury are:

1. Inmate Welfare Fund, July 1, 1991 through June 30, 1992 (closing date 8/21/92);
2. Inmate Welfare Fund 1992-1993, July 1, 1992 through June 30, 1993 (Controller's Edition - July 16, 1993);
3. Inmate Welfare Fund 1992-1993, July 1, 1992 through June 30, 1993 (Controller's Edition, Final closing as of August 24, 1993); and
4. Inmate Welfare Fund Special Services 1992-1993 report compiled by the sheriff's accountant.

Petty cash expenditures range from 75 cents to \$944.24 and the Inmate Welfare Fund Special Services Report lists 64 items paid from petty cash.

- **Administration of the Inmate Welfare Fund is lax and without operational guidelines.**

A fund that is more than a half-million dollars (gross total funds available for the period from July 1992 through June 1993 was \$652,237.35) and provides services for inmates including educational programs, counseling, fitness equipment and library services, requires more defined and structured administration. Authorization for expenditures is determined by the Facility Commander of County Jail #7 (Program Facility, San Bruno).

- **County Jail #7 in San Bruno has received the most benefit from the Inmate Welfare Fund in the form of counseling services, fitness equipment, appliances for the pod dormitories, educational and crafts programs.**

County Jail #7 is a newer facility and designed to allow the type of activities supported by the fund. The physical layout of the older jails does not allow offering the same type of programs that are available at the Program Facility. The sheriff's staff indicates that plans are underway to implement similar programs in the older facilities.



**Recommendations**

1. The sheriff should form a committee to administer the Inmate Welfare Fund and to comply with statutes regarding accounting and expenditures of the fund (PC § 4025 and CCR § 1043).
2. The audit division of the Controller's Office should perform a biennial audit of the Inmate Welfare Fund as required by statute.
3. The Director of the Inmate Welfare Fund should be responsible for the annual itemized report of expenditures to the Board of Supervisors.
4. The sheriff should continue efforts to establish programs in the older jail facilities, specifically counseling for drug abuse and domestic violence.

## Social Services

The 1993 - 1994 Civil Grand Jury conducted two reviews of services provided by the Department of Social Services and released one report for each.

### 1. Emergency Shelter Hotel Program within General Assistance

The Grand Jury is satisfied that the hotels in the Emergency Shelter and General Assistance Programs are clean for the purposes and the circumstances intended. The Department has taken responsible measures, indeed exemplary measures, to ensure cooperation with the other appropriate City and County agencies to cause regular and routine health and safety inspections of the subject hotels. Further, that the Department has instituted a reasonable and effective procedure to allocate the rooms and to reimburse the hotel operators for the rooms they provide. The Grand Jury recommends that the Department ask the City Attorney's office, as its legal counsel, to evaluate the need and appropriateness of a 1985 stipulated judgment that sets the service and response levels for this program rather than state statute.

### 2. Foster Care in San Francisco

The Grand Jury finds that San Francisco has the highest rates of youth dependency in the state by wide margins, that the Department of Social Services is making solid progress to correct its non-compliance problems with the State Department of Social Services and that despite this progress, many problems still exist within the Department.

To address the community's excessive youth dependency problems, the Grand Jury recommends that the mayor and the Board of Supervisors coordinate efforts to create prevention programs and services to reduce the incidence of youth dependency. It is recommended that the Department continue with the current changes, which have led to progress in addressing its non-compliance problems. However, the Grand Jury strongly recommends that once the non-compliance problems have been resolved the Department redesign its case management system to focus on children and families rather than its current focus on "process". Finally, the Grand Jury recommends that the mayor establish an independent ombudsman's office where grievances can be heard and resolved without penalty to children and foster parents.



## Emergency Hotel Shelter Program within General Assistance

(Released: February 23, 1994)

### Summary

During the 12 months ending June 30, 1993, the Department of Social Services (DSS) paid \$1,147,203 to 25 welfare hotels in San Francisco as part of the Department's Emergency Hotel Program. The hotels are used to house: 1) homeless General Assistance (GA) recipients during their first week of aid; 2) hospital releases who would otherwise need to remain hospitalized; and 3) other homeless "medically fragile" persons who would need to be hospitalized if they could not be given hotel rooms. Until July 1, 1993, these hotels were also used to house GA applicants who could not be seen on the day they submitted applications. Because of the City's current fiscal situation these *pending applicants* are now referred to one of the two multi-service facilities under contract by the Department.

Grand Jury members made unannounced visits to 11 of the 25 hotels used by the Department in fiscal year 1992/93. The purpose of these visits was to determine if the hotels in this group are clean and safe and if the Department is exercising adequate oversight of the housing it provides to those in need of emergency and short-term shelter.

Though old and shabby, the hotels in which DSS houses welfare recipients are clean and sanitary. As of this writing the Fire Department, the Department of Public Health and the Bureau of Building Inspection (Department of Public Works) are making timely inspections of all 25 of the subject hotels. In fact, for the particular purpose of the strengthening DSS's ability to oversee the adequacy of the hotels a Memorandum of Understanding (MoU) was signed in April, 1993 to ensure cooperation and communication between the above mentioned departments and DSS regarding hotel inspections. The Grand Jury finds that this MoU is actively followed by each Department that entered into it and wishes to commend the directors of each Department both for recognizing the importance of interdepartmental cooperation and for committing a detailed level of cooperation to writing.

While the initial focus of this study was to evaluate the Department's efforts to provide clean and safe emergency and short-term shelter, the Grand Jury additionally studied the voucher system used to allocate the rooms and to reimburse hotels for the rooms they provide. During the review period the voucher system supported the allocation of, and resulting



reimbursement for, more than 139,000 hotel nights, or 2,674 "7-day vouchers".

The Grand Jury found that the voucher system in use during the review period, which is the system currently in use, is an effective means to allocate the shelter assignments and to fairly reimburse the hotel operators for the rooms they provided.

Lastly, the Grand Jury also reviewed the 1985 stipulated judgment, Coalition for a Humane General Assistance Program, et. al. vs. The City and County of San Francisco, et. al. (No. 763-421), in which the Department was directed to maintain certain staffing levels and to establish specific service procedures. This judgment was the result of a law suit filed to force the Department to comply with State law. The judgment required, and still requires, the Department to provide services in excess of those required by State law. The Grand Jury recommends that the City Attorney's office evaluate the need and appropriateness of this judgment nine years after its issuance.

Based on the review conducted, the Grand Jury is satisfied that the hotels in the Emergency Shelter and General Assistance Programs are clean for the purposes and the circumstances intended. The Department has taken responsible measures, indeed exemplary measures, to ensure cooperation with the other appropriate City and County agencies to cause regular and routine health and safety inspections of the subject hotels. Further, that the Department has instituted a reasonable and effective procedure to allocate the rooms and to reimburse the hotel operators for the rooms they provide.

## Background

The Department of Social Services exists and operates under the authority of the California Welfare and Institutions Code, §3.570 of the City Charter and Ordinances adopted pursuant thereto. During the 12 months ending June 30, 1993, (Fiscal Year 1992-93) it spent \$320,000,000, or 10% of the total City and County budget. Of this amount, \$1,147,203 was spent on the GA and Emergency Hotel Programs:

**Table #1: Use of Hotel Voucher Funds for FY 92/93**

|                                  |                   |             |
|----------------------------------|-------------------|-------------|
| "Medically Fragile" Referrals    | \$ 234,016.20     | 20.5%       |
| Hospital Releases                | 153,073.85        | 13.3        |
| Pending GA Applicants *          | 71,690.55         | 6.3         |
| GA Recipients' First Week of Aid | <u>687,421.95</u> | <u>59.9</u> |
| Grand Total Fiscal Year 1992-93  | \$1,147,202.55    | 100.0%      |

\* Pending GA Applicants are no longer provided hotel rooms through this program. As of July 1993 these individuals are referred to one of the two multi-service centers operated under contract for the Department.

General Assistance is a State of California mandated entitlement program operated and financed entirely by county governments throughout the State. In San Francisco the program provides up to \$345 a month in aid payments to recipients who have no other verifiable means of aid or support (i.e., Social Security, Unemployment, Supplemental Security Income, etc.). San Francisco's General Assistance package does not include shelter other than during an initial 7-day "presumptively eligible" period if the applicant is homeless.

### A. Overview of GA Process

Individuals seeking GA must apply in person at the Department's Intake Office located at 1235 Mission Street. All individuals who are identified as homeless are seen at this time by a counselor. If it is not possible to begin this individual's intake process for GA aid they are referred to one of the two multi-service centers operated by outside contractors for the City. The Department is required under a stipulated judgment to interview and begin an evaluation process of the individual's eligibility for GA within three days of the individual's first visit to the Intake Office. During the review period individuals who met this condition were given vouchers and sent to hotels. They are shown as "Pending GA Applicants" in Table #1 above.

The initial appointment and interview seeks to establish an applicant's eligibility and extent of need for GA benefits. If during this appointment it is learned that the individual is homeless they will be provided with a voucher for 7 days of shelter at one of the participating hotels. If holidays occur during the 7 day period this period could be extended to 10 days. During this time the applicant is considered to be "presumptively eligible" while the Department conducts records searches and the individual completes a list of actions to qualify for aid (i.e., apply for SSI, provides supportive documentation of residence or intent to reside in San Francisco, etc.). This is the only time the Department directly purchases shelter for GA recipients.

According to DSS staff, approximately 66% of those who apply for GA receive some benefits. If a GA recipient who received shelter during the initial "presumptively eligible" period is still without a home when the voucher expires, they will then have the GA benefits check to purchase housing wherever they wish.

It is important to keep in mind that not everyone who applies for GA is homeless and that not all individuals who receive monthly cash assistance receive the full \$345 per month. For example, according the DSS staff less than 50% who apply are homeless and require short term emergency housing.



## B. The Hotels

During the review period the Department used as many as 25 hotels to provide shelter for persons described above. Periodically the Department mails solicitations to all the hotels registered to do business in San Francisco announcing that they are seeking to rent SRO's for medical emergency individuals and GA applicants.

In this solicitation the Department stipulates the per night rate they are willing to pay. The rate range during the review period was from \$8.00 to \$8.50. For the hotels that participate in this program this per night rate range is approximately two-thirds of their normal, private tenant rate of \$12.00.

## C. The Room Allocation Process

Hotel operators participating in the Department's program make daily calls to a DSS "hot line" from which a list is compiled of available rooms beginning that night for the next 7 day period. Based on the available rooms each day the DSS intake worker provides homeless GA applicants with an authorized "voucher" that is about the size of a traveler's check. The voucher is numbered and specifies the name of the hotel and the 7-day period for which it is valid. The voucher also contains 2 spaces for the recipient to sign his/her name. He is required to sign it once in the presence of the intake worker and a second time in the presence of the authorized hotel operator. This double signature procedure is exactly like using traveler's checks. If the voucher is presented to the hotel operator already containing the second signature the voucher is considered invalid. Likewise, if the second signature doesn't match the first signature, the voucher is invalid. The Department does not reimburse hotels if it determines that a voucher is invalid.

## D. Payments to Hotels

In monthly intervals participating hotels submit to the Department canceled hotel vouchers and copies of their hotel registry as verification of the rooms they rented through this program during the previous period. While the majority of hotels submit their supporting materials for payment on a monthly basis, there were three hotels during the review period which did not follow this cycle. The Department's bookkeeping procedures do not appear to have a problem with variations from the monthly cycle.



When the Department receives the supporting materials each registry is inspected to determine the accuracy of the requested payment and checked against the proper execution of the voucher itself. Payments are made only after the supporting material has been verified with the Department's own records.

#### E. Method of Inquiry

Assessments of the physical conditions of the participating hotels was carried out in two general ways. First, Grand Jurors made unannounced visits to 11 of the 25 hotels which DSS said were participating in the program during the review period. Second, inspection reports were obtained from the Fire, Health and Public Works Departments on each participating hotel.

The unannounced visits were made during daylight hours by at least two Grand Jurors. The Grand Jurors identified themselves as Grand Jurors and produced either a Grand Jury business card or showed other personal identification. The operators were informed in a very general way of the purpose of the visit and were asked to answer a small number of questions and to allow the Grand Jurors to tour the facilities. An interview guideline was used for these visits.

A competent evaluation of the physical conditions of the participating shelter hotels is difficult because it requires knowledge of specific State and local laws and regulations, as well as the expertise to assess buildings as complex systems. In April of 1993 a Memorandum of Understanding was executed by Public Health, Public Works and Social Services department heads to "ensure cooperation and communication between the respective departments regarding the inspections and expectations of the hotels".

Therefore, to adequately evaluate the physical conditions of the hotels the Grand Jury contacted the respective inspection offices of Fire, Health and Public Works Departments, collected inspection history reports for each of the participating hotels and interviewed departmental inspectors.

## **Findings**

Based on several meetings with DSS staff responsible for the shelter programs, on-site visits to 11 of the 25 hotels used during the review period, inspection of the actual materials submitted by hotels for payment, and review of actual reports from the offices of inspection of the Fire, Health and Public Works Departments, the Grand Jury finds that the Department of Social Services:

- 1. Is providing sanitary shelter to medical emergency individuals and GA applicants with a short-term housing need.**
- 2. Has acted in an exemplary manner to coordinate input from the office of inspection of the Fire, Health and Public Works Departments to ensure that the hotels from which they purchase housing for individuals meet various City codes for operations.**
- 3. Has instituted a reasonable allocation and payment system that contains adequate checks and balances to minimize the risk of overpayment to the hotels for the shelter they provide.**

### **Additional Findings:**

- 4. Proposition V, approved by the voters of San Francisco in November, 1993, addresses a couple of other concerns originally held at the outset of this review:**
  - A) The voucher system, while an adequate system in many respects, is vulnerable to fraud through the forgery of the recipient's signature. The fingerprinting requirement of Proposition V should address this issue.
  - B) The lack of a time-based residency requirement to be eligible for GA benefits in San Francisco may have led to making San Francisco something of a "magnet" because surrounding counties had required at least two weeks of residency in the county to be eligible to receive benefit. With the passage of Proposition V San Francisco now has a 15-day residency requirement.
- 5. A number of the Department's procedures are driven by a stipulated judgment dating back to September, 1985. In at least one area the judgment requires the Department to exceed State law in the delivery of services.**

**Recommendation**

1. The Department should request the opinion of the City Attorney's Office regarding the appropriateness of continuing to deliver services under the terms of the September, 1985 stipulated judgment versus conforming to current statutory levels.

## List of Terms

This report contains a number of terms which carry specific programmatic meanings relevant to the review. To assist the reader the following glossary has been prepared.

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Review period -               | Fiscal year July 1, 1992 through June 30, 1993                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Recipient -                   | Individuals receiving General Assistance aid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| DSS -                         | Department of Social Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Department -                  | Department of Social Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| GA -                          | General Assistance is a State of California mandated entitlement program operated and financed entirely by county governments throughout the State. In San Francisco the program provides up to \$345 a month in aid payments to recipients who have no other verifiable means of support (i.e., Social Security, Unemployment, Supplemental Security Income, etc.). San Francisco's General Assistance package does not include shelter other than during an initial 7-day "presumptively eligible" period if the applicant is homeless. |
| Medically Fragile Referrals - | Recipients who would otherwise require hospitalization if simple, one-room shelters were not available. This is one of the four categories under which DSS purchased shelter during the review period.                                                                                                                                                                                                                                                                                                                                    |
| Hospital Releases -           | Recipients who have no further medical reasons to remain hospitalized, but can not be discharged because they have no home or shelter to go to upon discharge from the hospital. This is one of the four categories under which DSS purchased emergency shelter during the review period.                                                                                                                                                                                                                                                 |
| Pending GA Applicants -       | Individuals who appear at the DSS intake center to apply for GA, but are not able to be seen the day they arrive AND in the course of making an appointment to initiate their application it is learned that they do not have shelter. This is one of the four categories under                                                                                                                                                                                                                                                           |



which DSS purchased shelter during the review period; however, as of July 1993 these individuals are being referred to DSS-contracted multi-service centers. This change was motivated by the City's current fiscal situation.

SRO - Single room occupancy.

**Foster Care in San Francisco**

(Released: May 27, 1994)

**Summary**

The Grand Jury reviewed the Department of Social Services' Family and Children's Services' unit and their role and performance in providing foster care in San Francisco. Foster care services, established and regulated by a combination of federal and state law, is an extremely complex public program. Unfortunately, for many years San Francisco has been delivering these services far below state regulations and to the dissatisfaction of many in the community.

The Grand Jury finds that San Francisco has the highest rates of youth dependency in the state by wide margins, that the Department of Social Services is making solid progress to correct its non-compliance problems with the State Department of Social Services and that despite this progress, many problems still exist within the Department.

To address the community's excessive youth dependency problems, the Grand Jury recommends that the mayor and the Board of Supervisors coordinate efforts to create prevention programs and services to reduce the incidence of youth dependency. It is recommended that the Department continue with the current changes, which have led to progress in addressing its non-compliance problems. However, the Grand Jury strongly recommends that once the non-compliance problems have been resolved the Department redesign its case management system to focus on children and families rather than maintaining its current focus on "process". Finally, the Grand Jury recommends that the mayor establish an independent ombudsman's office where grievances can be heard and resolved without penalty to children and foster parents.

## Background

### A. General Comments and Remarks about this Report

An important perspective to keep in mind while reading this report is that over the past eight or so years there have been at least two long term, professionally conducted studies on the topics reviewed here. These studies, while extensive, were not complete. They were thorough, but highly focused and did not address all the possible issues relating to this highly complex organization and the intricate maze of law and administrative regulation, both federal and state.

In our study we reviewed a wide variety of reports, regulations, and departmental documents, as well as state documents and records. The Grand Jury also interviewed 45 individuals, 25 of whom work in the system (DSS staff, court personnel, deputy city attorneys, deputy public defenders and state personnel involved in the current non-compliance action against the Department) and 20 from outside the system (foster parents, private attorneys representing parents, children, and foster parents, local advocates and private agency service providers).

There is an astonishing amount of public information available about San Francisco's problems in providing child protective services. Indeed, the problems have been chronicled through at least three mayoral administrations, and during the past five years the State of California has been more public and conspicuous in its oversight of the Department. There have been "special commissions" and special board of supervisor hearings. The Department's own commission meets at least monthly and for those citizens not able to attend these meetings, minutes are easy to obtain.

The one overwhelming and persistent question facing this year's Grand Jury has been:

*How can so much attention from so many different quarters result in such little progress for so many years?*

This is especially perplexing given the nature of the issue – the welfare of children in the City and County of San Francisco.

Based on the number of years these problems have existed, the rational mind wants to view the Department as a *villain*, filled with people motivated more by a desire to keep a good civil service job by avoiding risks

than by a desire to serve the children under their control. This Grand Jury does not accept that explanation.

Rather, in a democracy, child welfare does not receive its proper attention unless there are political leaders willing to stake their careers on delivering real and lasting solutions to the problems of children. Unfortunately, the conditions that exist for San Francisco's dependent youth suggest that this community has not had such a leader for many years.

Given the heightened awareness of foster care problems in San Francisco, we have tried to add different perspectives to the public dialogue.

## B. Overview of Foster Care Process

Foster care is but one in the myriad child welfare protective services mandated by California's Welfare & Institutions Code. These mandated programs are complex to implement and administer, and they are governed by many different state and federal statutes, administrative regulations and case law. The following descriptions are a brief overview of this system. For more detail on state regulations concerning child protective services, consult Appendix A, Child Abuse Prevention Handbook, a publication of the Office of the Attorney General.

### 1. Preplacement Preventive Services

These services are designed to help children remain with their families by preventing or eliminating the need for removal. (Welfare & Institutions Code § 16501.1) There are two programs:

#### (a) Emergency Response Program

This is a 24-hour-a-day, 7-day-a-week "in-person" response system designed to protect children from abuse, neglect or exploitation. DSS social workers respond to reports that children are in danger by making visits to the child's home and removing the child from the home if the emergency response (ER) worker feels the child is in danger.

#### (b) Family Maintenance Program

This is a "time-limited" protective service to prevent or remedy neglect, abuse or exploitation while the child remains with his/her family; these services are provided for up to six months.



## 2. Family Reunification Program

This program provides "time-limited" foster care through out-of-home placement to prevent or remedy neglect, abuse or exploitation when it has been determined that a child cannot safely remain with his/her family while services are provided to reunite the family. Services are provided for up to 12 months with the possibility of a 6-month extension as determined by the juvenile court.

## 3. Permanent Placement Program

This program provides an alternative permanent family structure for children who cannot safely remain at home due to abuse, neglect or exploitation and are unlikely to ever return to their families. The juvenile court must consider placement in the following order of priority:

- adoption;
- legal guardianship;
- long-term foster care (Welfare & Institutions Code, § 366.25).

## C. History of Departmental Problems

It is public knowledge that the Department's child protective services record has been among the worst in the state for nearly a decade. The Grand Jury received testimony from former State Department of Social Services personnel that San Francisco's Department had been "out of control" since the late 1970's.

Visitation is perhaps the most significant quality indicator in child protective services once the child has been taken into the system. Visitation is in three forms: a) with the child; b) with the birth parent(s); and c) with the foster parent(s). Visitation is important because of the need for those charged with the child's general well-being to base sound decisions on first-hand knowledge of the child and his/her circumstances. Since 1987 the Department has been well below the "90% minimum compliance" level set by the state in this single performance area. Table #1 and Chart #1 below report the Department's historic compliance scores, averaged for each period, by the California Department of Social Services.

While the Department did not maintain an average score at or above the 90% compliance threshold for any of the reporting periods through 1992, it did achieve a single score of 95% in the category Face-to-Face with Parent  $\{(48\% + 95\%) \div 2 = 72\%\}$  in 1992.

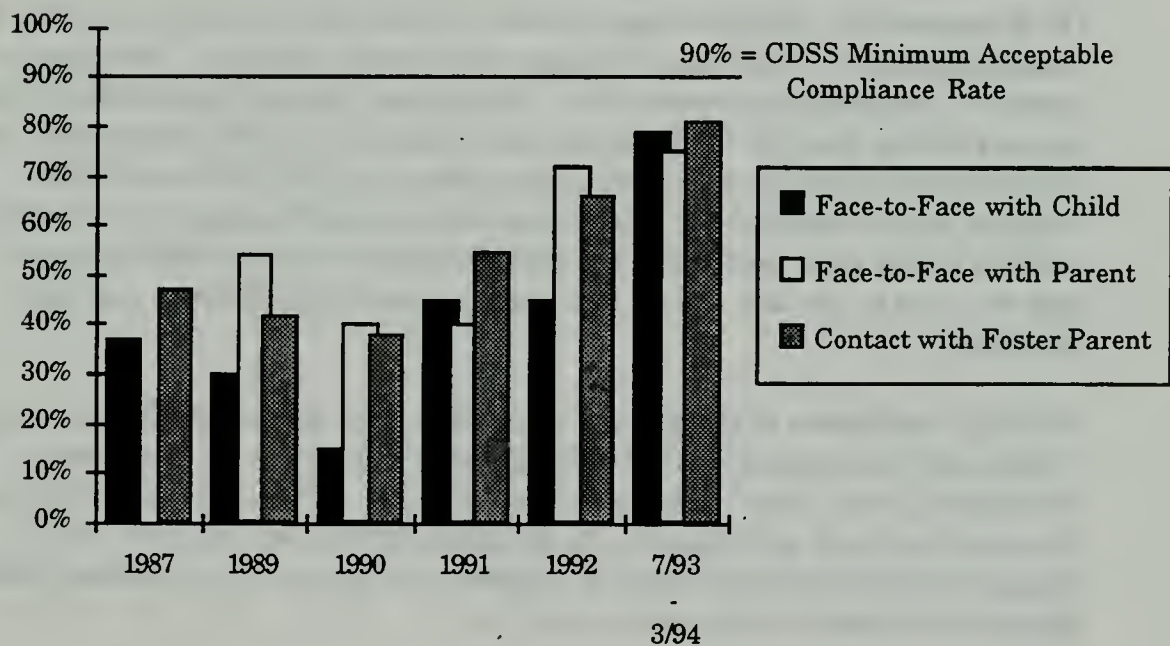
**Table #1: Historical Compliance Scores - Averages**

(June 15, 1993 report on SF DSS, pg 4.A-1; By Deloitte &amp; Touche, CDSS Staff and others)

| Visitation Review Areas    | 1987 | 1989 ‡ | 1990 | 1991 | 1992 | July 93 - Mar 94 † | Year-to-Date Change over 1992 |
|----------------------------|------|--------|------|------|------|--------------------|-------------------------------|
| Face-to-Face with Child    | 37%  | 30%    | 15%  | 45%  | 45%  | 79%                | + 75%                         |
| Face-to-Face with Parent   | n/a  | 54%    | 40%  | 40%  | 72%  | 75%                | + 4%                          |
| Contact with Foster Parent | 47%  | 42%    | 38%  | 38%  | 66%  | 81%                | + 23%                         |

‡ Data for 1988 is missing from the report's data with no explanation.

† With one exception DSS did meet or exceed goals for the period in the 3rd Quarter (Jan 94 - Mar 94) in each category.

**Chart #1: Historical Compliance Scores - Averages**

Failure to meet the visitation requirements is not the only historical problem in the Department. The 1987-88 Civil Grand Jury reviewed the Department's foster care program and reported the following:

- The selection process for hiring a new general manager for the Department should have required no more than 6 months. Instead it took 18 months. Thus, for 18 months a department with serious organizational problems was without adequate leadership and direction.

- "...heavy caseloads, lack of organization, staff shortages and lack of communication within the department all contribute to low morale."
- A Child Welfare League of America study for the period November 1986 - April 1987 found:
  - > lack of sufficient middle management;
  - > fragmented communication between the higher levels of DSS and the Division;
  - > inadequate facilities and isolation from budget planning; and
  - > lack of consistent leadership in the Department, especially in its attempts to investigate computer issues.

While this year's Grand Jury did not conduct a detailed assessment of the progress made on these issues cited in the 1987/88 report, it is our impression that many of these conditions still exist.

#### D. DSS and Formal Non-compliance

On November 18, 1992 the Department was served with a formal notice of non-compliance by the State Department of Social Services. Ten specific areas of non-compliance were cited. The notice followed three failed state reviews dating back to 1986 and the same number of failed attempts by the Department to develop corrective action plans (in 1988, 1991 and 1992). Political sensitivities about interfering with county business and inadequate staffing at the state level were the stated reasons for State DSS taking so long to come to the aid of San Francisco's dependent children and their families.

With the assistance of the private consulting firm of Deloitte & Touche and CDSS staff, the Department was finally able to produce an acceptable "corrective action plan" (CAP) on June 30, 1993. This CAP identifies causes of non-compliance and remedies to be taken by the Department. The Department's progress is being monitored by the state on a quarterly basis against the goals established in the CAP.

The Department released its Third Quarterly Corrective Action Report on April 15, 1994. This report covers the period from January 1, 1994 through March 31, 1994. This report details survey results of 50 cases selected at random and stratified across Emergency Response, Family Maintenance, Family Reunification and Permanent Placement. The review was conducted by Department staff and a review team from the State Department of Social Services.



The Grand Jury provides a summary of the Third Quarterly Corrective Action Report in the following section (see Findings). In general, the results of this latest corrective action report are encouraging and indicate that the Department has demonstrated its ability to reverse the inadequate delivery of service over the past decade. This latest report gives reason for optimism because it suggests that the Department has begun to address its most basic problems in meeting the needs of San Francisco's dependent youth.



## Findings

Among many possible findings, those contained in this report were selected as the most important in defining the systemic problems with the condition of youth dependency in San Francisco.

The findings divided into three sections:

1. Youth dependency problem facing the entire San Francisco community.

While some of the facts used to support the findings in this section are from the Department, this section is not about the Department or their activities. The Department's function is to respond to the problems of children who, through no fault of their own, are from harmful and dysfunctional families. This first section is an attempt to profile the problem facing San Francisco, one to which the Department must respond.

2. Status of Corrective Action Plan.

The findings for this portion of the report are based on the three quarterly reports prepared by the Department in conjunction with the State Department of Social Services. These findings are the assessments of this Grand Jury; as of this writing the state has not issued a response to the Department's Third Quarterly Corrective Action Report released April 15th.

3. Further areas of consideration.

The state's non-compliance notice covers 10 specific regulatory areas. This section of our report goes beyond regulatory areas and addresses other issues raised by a variety of sources in the community.

### A. San Francisco's Youth Dependency Problem

1. San Francisco youth are more likely to become dependents of the county than youth in any other county in the state.

This condition is not created by San Francisco's Department of Social Services. Rather, it is an overwhelming situation to which the Department is required to respond. The facts are:

- a) As a percentage of its youth population, San Francisco youth are 2.75 times more likely to become dependents of the county than youths of other counties in California. Table #2 below compares San Francisco's youth dependency rates to those of the eight other Bay Area counties and to the state rate.

**Table #2: Percentage of Youth Who are County Dependent**

(Source: State of California, Department of Social Services, February 28, 1994)

|                                | Total Youth Under 18 | Total in Foster Care | % of Youth Under 18 in Foster Care | Ratio to State Rate |
|--------------------------------|----------------------|----------------------|------------------------------------|---------------------|
| Statewide                      | 7,739,479            | 90,122               | 1.2%                               | 1:1                 |
| Bay Area Counties (excl. S.F.) | 1,266,772            | 11,135               | 0.9%                               | .75:1               |
| San Francisco                  | 116,749              | 3,827                | 3.3%                               | 2.75:1              |

- b) As a ratio of its overall population, San Francisco has more youth dependents than any other county in the state. Table #3 below reports the ratios for the statewide average, Bay Area counties excluding San Francisco, and San Francisco. As an example, compared to the eight other Bay counties, San Francisco youth are 2.5 times more likely to be dependents of the county than if they lived in any of these other eight counties.

**Table #3: Per-Capita Ratio of Youth Who are County Dependent**

(Source: State of California, Department of Social Services, February 28, 1994)

|                                | Total Population | Total in Foster Care | Per Capita Ratio (x/1,000) |
|--------------------------------|------------------|----------------------|----------------------------|
| Statewide                      | 29,760,021       | 90,121               | 3/1,000                    |
| San Francisco                  | 723,959          | 3,827                | 5/1,000                    |
| Bay Area Counties (excl. S.F.) | 5,299,618        | 11,135               | 2/1,000                    |

## 2. African American youth in San Francisco are significantly over-represented among San Francisco's dependents.

Table #4 below profiles San Francisco dependent population by ethnic groups. While African American youth, representing just 16.61% of the San Francisco youth population in the 1990 census, they account for more than 70% of the county's dependent population ( $2,613 \div 3,683 = 70.1\%$ ). Perhaps more dramatic is the ratio of "two in 15"; currently two in every 15 African American youth in San Francisco are dependents of the county.

This ratio is 13 times greater than the "non-African American" county average of one in 100.

**Table #4: Ethnicity of Youth Who are County Dependent**

(Source: State of California, Department of Social Services, February 28, 1994 & 1990 Census)

| San Francisco County             | Total Youth Under 18 yrs | % of Total    | # of Dependents | % of Ethnic Group | Ratio for Ethnic Group |
|----------------------------------|--------------------------|---------------|-----------------|-------------------|------------------------|
| White                            | 40,971                   | 35.09%        | 414             | 1.0%              | 1:100                  |
| Hispanic                         | 23,513                   | 20.14%        | 450             | 1.9%              | 1:50                   |
| <b>African American</b>          | <b>19,390</b>            | <b>16.61%</b> | <b>2,613</b>    | <b>13.5%</b>      | <b>1:7.5</b>           |
| Other                            | 32,875                   | 28.16%        | 206             | .63%              | 1:63                   |
| <b>Total</b>                     | <b>116,749</b>           |               | <b>3,683</b>    | <b>3.15%</b>      | <b>1:30</b>            |
| Excluding African American Youth | 97,359                   | 83.39%        | 1,070           | 1.09%             | 1:100                  |

### **3. The disproportionate representation of African American youth in county dependency is not the result of racist practices by DSS staff.**

The number of African American youth in county dependency suggests that the cause is related to something systematic within the Department's policies and practices. However, according to statements made by at least three independent organizations extremely familiar with Department practices, the reason so many African American youth are dependents of the county is not related to Departmental practices. Two of these three organizations are predominately African American in membership and were formed to improve circumstances for African American youth served by DSS.

It is the consensus of those individuals and organizations interviewed for this report that the high percentage of African American youth in county dependency is the result of other, more systemic factors in our community. Among those cited: social racism, unemployment, poverty and addiction to crack-cocaine.

The 1990 census data for poverty rates by age and by ethnicity suggest that poverty may be a significant factor in explaining the high rates of African American youth as San Francisco county dependents. Table #5 below reports the 1990 census poverty data by age and ethnicity.

The overall poverty rate for San Francisco youth in 1989 (the year sampled for the 1990 census) was 18.61%, or every 2 in 11 San Francisco youth were



living in households below the then poverty level. The rate of African American youth in 1989 was 40.67%, which is nearly three times the rate for non-African American youth at 14.23%. In 1989 two out of every five African American San Francisco youth were living in households below the poverty level.

**Table #5: Ethnicity of Youth Below the Poverty Level**

(Source: 1990 Census - Persons for whom poverty status was determined. †)

| San Francisco County             | Total Youth Under 18 yrs | # Below Poverty | % Below Poverty | Ratio for Ethnic Group |
|----------------------------------|--------------------------|-----------------|-----------------|------------------------|
| White                            | 39,988                   | 4,186           | 10.47%          | 1:10                   |
| Hispanic                         | 22,633                   | 4,581           | 20.24%          | 1:5                    |
| <b>African American</b>          | <b>18,862</b>            | <b>7,672</b>    | <b>40.67%</b>   | <b>1:2.5</b>           |
| Other                            | 32,591                   | 4,789           | 14.69%          | 1:7                    |
| Total                            | 114,074                  | 21,228          | 18.61%          | 1:5.5                  |
| Excluding African American Youth | 95,212                   | 13,556          | 14.23%          | 1:7.5                  |

† The totals in Tables #4 and #5 are not equal because the 1990 census was not able to make determinations of poverty status on the entire population. However the difference is 2,675, or 2%, and this is not significant.

## B. Status of Corrective Action Plan

The quarterly reviews of the Department's corrective actions aimed at removing the current "non-compliance" status with the state are jointly conducted by Department and state staff. The reviews are based on case record surveys on which assessments are made about the timeliness and completeness of compliance with the 10 selected areas of state regulation.

The most recent quarterly review is for the period from January 1, 1994 through March 31, 1994. The particular month sampled during that quarter was March. The review involved a total of 50 randomly selected case records that were stratified across the four program areas: Emergency Response (ER), Family Maintenance, (FM), Family Reunification (FR) and Permanent Placement (PP). For some of the 10 regulatory areas less than 50 cases were sampled because not all of the regulatory areas are pertinent to each of the four program areas. For example, face-to-face visits with parents were assessed on only 19 of the 50 cases because there were only 19 Family Maintenance cases in the sample of 50.



4. **Based on the Third Quarterly Corrective Action Report, the Department's new management team appears to have refocused and redirected the Department towards compliance with state regulations.**

The Grand Jury made two assessments of the results of the Third Quarterly Corrective Action Report. First, assessing its "sustained performance" over the last three quarters versus the November 1992 "baseline," the Department demonstrated improvement in nine out of the 10 areas of non-compliance. Table #6 reports those scores. The 1992 baseline scores were pathetically low. Nonetheless, the Department demonstrated the ability to lift and sustain its performance for the past three quarters. Given the Department's performance history over the past decade, this is real progress.

**Table #6: Department's Sustained Performance Scores**  
(Source: Third Quarterly Corrective Action Report, April 15, 1994.)

| Non-compliance Areas                 | 1992 Baseline | July 93 - March 94 Average Results | Percentage Points Over (Under) Baseline | Met or Exceeded Baseline |
|--------------------------------------|---------------|------------------------------------|-----------------------------------------|--------------------------|
| <b>Contacts</b>                      |               |                                    |                                         |                          |
| Child Visits                         | 50%           | 79%                                | 29                                      | Exceeded                 |
| Parent Visits                        | 72%           | 75%                                | 4                                       | Exceeded                 |
| Caretaker Visits                     | 66%           | 81%                                | 15                                      | Exceeded                 |
| <b>Assessments</b>                   |               |                                    |                                         |                          |
| Timely Joint Adoptability Assessment | 4%            | 27%                                | 23                                      | Exceeded                 |
| <b>Service Case Plans</b>            |               |                                    |                                         |                          |
| Parent Signature on Case Plan        | 29%           | 88%                                | 59                                      | Exceeded                 |
| Timely Case Plan                     | 68%           | 76%                                | 8                                       | Exceeded                 |
| <b>Hearings</b>                      |               |                                    |                                         |                          |
| Timely Hearing                       | 72%           | 72%                                | 0                                       | Met                      |
| Hearing Notice                       | 73%           | 81%                                | 8                                       | Exceeded                 |
| <b>Health Exams</b>                  |               |                                    |                                         |                          |
| CHDP Medical                         | 19%           | 37%                                | 18                                      | Exceeded                 |
| CHDP Dental                          | 19%           | 15%                                | (4)                                     | NO                       |

The second assessment of the Third Quarterly Corrective Action Report is more challenging. It measures the Department's performance in the last quarter against goals set for that quarter. This assessment is meant to measure the Department's progress to date for each of the 10 non-compliance areas. Table #7 below compares weighted 3rd Quarter Goals with weighted 3rd Quarter Results. In this assessment the Department met or exceeded 6 of the 10 goals.

**Table #7: Department's Performance To-Date**  
(Source: Third Quarterly Corrective Action Report, April 15, 1994.)

| Non-compliance Areas                       | 3rd Quarter<br>(Jan 94 -<br>Mar 94)<br>Goals | Weighted<br>3rd<br>Quarter<br>Results | Percentage<br>Points Over<br>(Under)<br>Goals | 3rd Quarter<br>Goal Met or<br>Exceeded |
|--------------------------------------------|----------------------------------------------|---------------------------------------|-----------------------------------------------|----------------------------------------|
| <b>Contacts</b>                            |                                              |                                       |                                               |                                        |
| Child Visits                               | 83%                                          | 96%                                   | 13                                            | Exceeded                               |
| Parent Visits                              | 87%                                          | 90%                                   | 3                                             | Exceeded                               |
| Caretaker Visits                           | 86%                                          | 92%                                   | 6                                             | Exceeded                               |
| <b>Assessments</b>                         |                                              |                                       |                                               |                                        |
| Timely Joint<br>Adoptability<br>Assessment | 82%                                          | 23%                                   | (59)                                          | NO                                     |
| <b>Service Case Plans</b>                  |                                              |                                       |                                               |                                        |
| Parent Signature<br>on Case Plan           | 96%                                          | 83%                                   | (13)                                          | NO                                     |
| Timely Case Plan                           | 83%                                          | 98%                                   | 15                                            | Exceeded                               |
| <b>Hearings</b>                            |                                              |                                       |                                               |                                        |
| Timely Hearing                             | 86%                                          | 89%                                   | 3                                             | Exceeded                               |
| Hearing Notice                             | 90%                                          | 90%                                   | 0                                             | Met                                    |
| <b>Health Exams</b>                        |                                              |                                       |                                               |                                        |
| CHDP Medical                               | 60%                                          | 58%                                   | (2)                                           | NO                                     |
| CHDP Dental                                | 60%                                          | 17%                                   | (43)                                          | NO                                     |

While the Department is still not fully compliant in all 10 regulatory areas, these two assessments taken together show strong improvement compared to previous assessment periods.

#### C. Further Areas of Consideration

As encouraging as the Third Quarterly Corrective Report is, there are additional problems that are not fully addressed by the state's formal non-compliance areas.

- Many in the community (e.g., social services organizations, public advocacy groups, foster parents) do not have faith in the Department's abilities to meet the needs of the children in its charge.



**6. The Department has a counter-productive focus for its casework. The current system is a "process-centric" model, which creates disincentives to make decisions and take actions that focus on children and their families.**

Notwithstanding the progress made by the Department since its Corrective Action Plan was accepted by the state in June 1993 and the subsequent success during the past three quarters, doubt persists in the community. With the exception of Department management, everyone interviewed by this Grand Jury expressed pessimism that the current changes will produce improvement in the care of children.

Despite repeated requests to those providing information to the Grand Jury to refrain from reporting about their "case from hell," such reports became commonplace. Indeed, there was considerable convergence about how children, care-providers and birth parents are being treated by the Department. The consensus was that the quality of case worker decisions appear to be due more to the quality of the individual case worker than to organizational values and supervision.

Of the many complaints made to the Grand Jury during this review, the following subjects were raised repeatedly by numerous sources. By no means does the Grand Jury feel that the following represents the majority of cases within the Department. However, the stories were so consistent that they must represent trends of substandard performance by a significant minority of staff and supervisors.

**a) Case Worker Role -**

- initial assessments of children are made too quickly;
- case worker decisions appear arbitrary and without the backing of guidelines which direct decisions about: placements (e.g., matching strengths and weaknesses of foster parents and children's needs), foster parent participation concerning transportation, supervising visits, payments, board rates and special services (e.g., child care, respite care);
- children are moved too often and for arbitrary reasons;
- case workers are not following the laws and regulations;
- representation by City Attorney's office is often "pro-forma" and appears to be directed more by case workers than by facts;
- too many dependency cases are contested – better attention to detail, family and birth-parents early on in case management would avoid approximately a third of the court-contested matters;



- retaliation and/or the threat of retaliation is a common and well-developed tool of the DSS caseworker – foster parents feel if they question a caseworker's decision they will be made to suffer the consequences, such as having children taken away and/or not being considered for future placements;
- b) The "Department" -
- DSS is a closed organization – the Department hides behind the "cloak of confidentiality" to protect its decisions and actions;
  - DSS workers do not return calls in a timely manner;
  - DSS record-keeping is inadequate to support family reunification goals – for example, DSS has no routine way of knowing if they have siblings under dependency if children are taken at different times;
  - too much power is concentrated in one person (probably the coordinator?) concerning placement issues and the decisions often seem arbitrary;
  - observance of regulations concerning Notice of Intent to Move Child (Reg #30-348) and Grievance Procedures (Reg #30-378) are seldom the rule;
  - the Department's culture is so negative that good social workers become hardened and begin to perform poorly within 12 - 18 months of joining the Department – according to at least one service provider, "you can set your clock by it [it's so regular now]";
- c) The Role and Support of Foster Parents -
- foster care providers are often treated rudely and made to feel like they are part of the problem and not part of the solution;
  - DSS does not provide assistance to foster parents about the availability of community services and resources for children concerning health services, special education, mental health and social services;
  - inadequate foster parent training; and
  - health records about infants are not passed to care providers in a timely manner.
- 7. On average San Francisco dependent youth remain in their dependency status longer than dependent youth in the eight other Bay Area counties and longer than children elsewhere in the state.**

Table #8 below reports average length of dependency for youth across the state, in San Francisco and for the eight other Bay Area counties. San

San Francisco youth remain in dependency 13% longer than their peers in the other eight Bay Area counties and 28% longer than the state average.

**Table #8: Average Months in Placement by Ethnicity**

(Source: State of California, Department of Social Services, February 28, 1994)

|                                   | White | Hispanic | African American | Other | All  |
|-----------------------------------|-------|----------|------------------|-------|------|
| Statewide                         | 33.4  | 33.2     | 44.6             | 33.3  | 37.9 |
| San Francisco                     | 39.7  | 40.4     | 49.7             | 40.2  | 46.9 |
| Bay Area Counties<br>(excl. S.F.) | 37.2  | 39.1     | 44.7             | 31.6  | 41.3 |

8. **San Francisco's dependent youth are as likely to be placed with relatives as dependent youth in all other California counties; however, they are more likely to be placed with a relative "out of county" than dependent youth from other counties in the state.**

Another frequent complaint about the Department's placement practices is that it places too many children out of county, thereby complicating the likelihood of family reunification because visitation with birth parents becomes prohibitively difficult. While data was not available for in-county versus out-of-county placement by ethnicity, Table #9 suggests that the high incidence of out-of-county placements by the Department is mitigated by the comparably good rates of placement with relatives.

It is worth keeping in mind that San Francisco is a small county geographically and that a more accurate assessment of in-county versus out-of-county placement should be based on distance. For example, a San Francisco child placed only ten miles from home is an "out-of-county" placement.

**Table #9: Placements with Relatives**

(Source: State of California, Department of Social Services, February 28, 1994)

|                                   | Total in<br>Foster Care | Total with<br>Relatives<br># / % | In-County<br># / % | Out-of-<br>County<br># / % |
|-----------------------------------|-------------------------|----------------------------------|--------------------|----------------------------|
| Statewide                         | 90,121                  | 38,383<br>42.6%                  | 32,317<br>84.2%    | 5,964<br>15.5%             |
| San Francisco                     | 3,827                   | 1,609<br>42.0%                   | 1,015<br>63.1%     | 588<br>36.5%               |
| Bay Area Counties<br>(excl. S.F.) | 11,135                  | 4,059<br>36.4%                   | 3,045<br>75.2%     | 1,014<br>25.0%             |



## **Recommendations**

### **A. San Francisco's Youth Dependency Problem**

1. The mayor and the Board of Supervisors should coordinate an inter-departmental effort to address the multitude of problems facing troubled families in San Francisco, especially African American families, to reduce the high incidence of youth dependency in the county.

The problems facing San Francisco dependent youth, especially African Americans, appear to be caused by an interaction of poverty, health issues and unemployment. It is unreasonable to assume that Foster Care within DSS is responsible for the family demographics of San Francisco. Its role is one of rescue when families no longer function. Family dysfunction needs to be addressed by agencies including DSS, Public and Mental Health and the Department of Education.

### **B. Corrective Action Plan**

2. The Department should continue with the current changes that have led to its progress in addressing the immediate non-compliance issues with the state.

The director of DSS has stated publicly, and to this Grand Jury, that his highest priority for DSS's Family and Children's Services unit is to meet the state's compliance requirements for foster care. While there are additional recommendations for improvement, removing the non-compliance status should remain the unit's first goal (see below).

### **C. Further Areas of Concern**

3. Once the non-compliance status has been lifted, the Department should replace its "process-centric" case management system with a "child/family-centric" system.
4. Case load caps should be established for case workers so they have the time to visit their charges to acquire the necessary knowledge and foundation on which to base decisions that will serve the best interests of the child.

Given the way the Department structures its case management, it is hard to imagine that San Francisco's dependent youth have advocates in their case workers. Indeed, it appears that the sheer volume of cases has



blunted the case worker's ability to see their charges as anything other than a collection of decisions to be made within the prescribed time and a sense of urgency to process the paperwork before the next case.

The staff and management appear to be generally compassionate and understanding people. It is the organization and the culture of the Department that is failing the children.

The Department's organizational structure is modeled on the state-legislated programs of Emergency Response, Family Maintenance, Family Reunification and Permanent Planning. The Grand Jury defines this as a "process-centric" approach that causes children to be assigned to case workers based on legislative distinctions.

The "child/family-centric" approach we recommend is a simple concept. Case workers should be generalists with mixed case loads. Once a child is taken from the home, and for the entire time he/she is in dependency status, they should be assigned to the same case worker. If siblings become dependents, they should be assigned to the same worker unless extenuating circumstances dictate otherwise. If a child is reunified with his/her family, but again returns to dependency, that child should get the same case worker.

The child/family-centric approach is driven by one objective: provide children who are going through extremely traumatic experiences with as much stability as possible once they enter the system. Provide case workers with an ethic that reinforces their position as advocates for children. The child/family-centric approach will also enable case workers to take responsibility for the decisions they make on behalf of "children" over the long term, rather than short term decisions on behalf of "case-management".

5. To address the many complaints about foster care from advocacy groups, neighborhood groups, foster parents and social service organizations, the mayor should move quickly to establish an ombudsman's office.

While the Department is responsible under state law to provide for dependent youth, to be effective in its duties it must rely on the community of foster parents and other care providers as "partners". Unfortunately, this important link has been severed. For the best interest of dependent youth in San Francisco it needs to be reestablished.

Because of the Department's reputation as a "closed organization" and because of foster parents' fears of retaliation an impartial fact finder who can resolve disputes without negative consequences to the children and foster parents needs to be established. To be effective an ombudsman needs to be:

1. outside the Department;
2. a sworn officer of the court with the authority to investigate confidential matters;
3. assigned for a sufficient length of time for an effective grievance process to be established within the Department; and
4. reporting directly to the mayor to:
  - a) establish the appropriate high level of visibility; and
  - b) minimize the political pressures between the mayor's office and the Board of Supervisors.



4711

## **Juvenile Justice**





## Juvenile Justice

(Released: February 8, 1994)

### Summary

The 1993-1994 Grand Jury interviewed those who most affect the Juvenile Justice System in the City and County of San Francisco. In this report, we review the operations of the current system and present a consensus of needed changes and new directions for the system.

Juvenile crime has become increasingly more violent in the past five years and those who serve the offenders confront new and difficult challenges. Female offenders--some with children--add new demands to an already taxed system. More money and better people are not a panacea for juvenile crime in San Francisco. The City is already spending \$43,000,000 and many of those working in juvenile justice are highly trained, well motivated, and competent professionals. The central problem is that a divisive and fractionated delivery system, dictated largely by budget and funding boundaries, is preventing our most troubled families and their children from receiving the health, education, social and police services they desperately need.

The mayor, his newly appointed Task Force, and the two existing Juvenile Commissions must now develop new and bold approaches if they are to meet the serious public safety issues now confronting the City and to provide the necessary services to young people. There is considerable evidence that the best results can be obtained by focusing on: a) a small core of serious repeat offenders--fewer than 300--guaranteeing improved public safety; and b) long term approaches that include early detection paired with long term intervention of high risk youths and their families. This report recommends that preventive approaches involving a continuum of services largely replace current practices.

## Background

The 1993-94 Grand Jury set as its goal to find consensus in a representative cross section of all the public, community, and volunteer groups who participate in the activities of the juvenile justice system. We focused on those aspects that are central to the operation and development of juvenile justice public policy.

Since the beginning of the juvenile justice system at the turn of the century, it has been a benevolent, informal system; what has varied is the nature of the crimes, the type of detention, the kind and quality of services provided. To protect youthful offenders, juvenile court proceedings were civil rather than criminal and were closed to the public with their records sealed. Moving from an institutionalized system such as reform schools to a more community based system such as group homes has had little impact on habilitation or prevention. A lack of coordination in the services offered has generally existed between the various public agencies, community groups, and volunteers who work with young people.

All crime has increased significantly since 1950. The most disturbing aspect regarding recent changes in the nature of crime is that criminals are becoming more brutal, violent, and random in their choice of victims. These trends hold for juvenile as well as adult crime. Felony arrests are greatest for 15 to 19 year olds and arrest rates for 10 to 17 year olds remain higher than rates for adults despite juvenile arrests peaking as early as 1974. Clearly, juvenile crime is a problem of long standing.

The City and County of San Francisco shares with Fresno County the distinction of having the highest overall crime rate of the populous counties in California. Within the City, there are over 48,000 youths (under 18 years of age) in the City and County of San Francisco. Out of that population the following profile of juvenile crime emerges:

- 3,600, or 7.5% of all San Francisco youth, were referred or arrested during the 12-month period ending July, 1993;
- 50% of all crimes committed in San Francisco and 20% of all homicides are committed by youths (under 18 years of age);
- the homicide rate in 1991 was three times greater than it was in 1988 while the rate dropped 50% between 1991 and 1993;
- there was a 47% increase in gun possession arrests between 1992 and 1993;
- robberies increased 137% from 1988 to 1993;

- nearly 50% of all juvenile crimes currently charged or petitioned are for violent crimes;
- 50% of the serious crimes committed by juvenile offenders occur on Muni;
- 75% of youthful offenders are habitually truant; and
- the majority of crimes against the elderly are committed by juvenile offenders.

Approximately 7% of the youths committing crimes are serious habitual offenders. This group accounts for a disproportionate amount of violent crime with estimates as high as 79%. These data suggest a small core of 250-300 offenders at the base of juvenile crime while other estimates are as low as 75-100. A problem that plagues law enforcement is that less than half of the crimes committed by juveniles come to their attention, with slightly fewer than 10% resulting in arrests. Once arrested, 70% are released immediately and 90% are released within four days. Of those detained there is a 93% recidivism rate. When convicted, juveniles spend an average of 61% more time in prison than adults (26.1 months versus 16.2 months). Regardless, an increase in penalties is often less effective for prevention than quick and certain apprehension followed by conviction of juveniles involved in crime.<sup>1</sup>

Most habilitation efforts ranging from probation with counseling to boot camp alternatives, when presented in isolation from other services, have not produced results significantly different from incarceration. For this reason, many working with juvenile offenders are beginning to share the view of researchers that early detection and long term prevention provide alternatives to current practices.



## Findings

### A. Organization and Planning:

- 1. The City's various departments charged with wide ranging responsibilities to address juvenile crime do not coordinate their policy planning, program implementation or program evaluation to meet the needs of the community.**

The mayor's office determines funding, provides leadership in policy development, and assists in the administration of the San Francisco Juvenile Probation Department. Since 1990, the Juvenile Probation Commission, composed of mayoral appointees, reviews and reports to the mayor on issues related to juvenile justice. In fall of 1993, the mayor appointed the Mayor's Juvenile Justice Task Force to assess current operational problems in the juvenile system. Since 1981, the Superior Court has appointed members to a Juvenile Justice Commission, which independently evaluates the functions of juvenile justice. Due in part to recent dramatic changes in juvenile crime in San Francisco, the system is now failing to provide public safety and a range of services to our youth. The need in this situation is clear: a) stronger leadership; and b) complete coordination between the bodies determining policy and funding.

The elected officials, appointed bodies, and departments that determine policy and funding include the mayor, Juvenile Justice Commission, Juvenile Probation Commission, Juvenile Probation, Unified School District, Health Department, Police Department, Public Defender, District Attorney and City Attorney.

- 2. The City lacks a continuum of services for young offenders. These services would include education, health, social, and police services along with existing community based programs. There are also limited recreational opportunities for young people such as night basketball. These services contribute significantly to juvenile crime prevention.**

Juvenile crime reflects a crisis for youth who have less defined goals and fewer opportunities, higher expectations, and disintegrating family and community structure. Even when considering non-violent youthful offenders over 9 years of age, the habilitation efforts are very discouraging. Most experts agree that early contact during primary school and long term intervention with a continuum of services are essential to meaningful behavior change. Parents or guardians of juvenile offenders do not always participate in these efforts and there is little threat of fines or jail if they do

not. Schools now function as solitary educational centers with no inclusion of support services such as health, social, and police services.

Little attention is given to teaching children and parents how to interpret and control their exposure to mass media--particularly television, video games, movies, advertising and printed materials. By the time children finish elementary school, they will have experienced media productions showing 8,000 murders and 100,000 acts of violence. Mass media and advertising continue to assault the boundaries of civility and social order creating artificial generational gaps between parents and their children. Children have one and half times more exposure to the mass media than to school and even more time exposed to mass media or school than in interacting with adult family members. Thus, the teaching of cultural and family values is largely a question of equal time rather than a serious decline of values.

**3. San Francisco lacks effective programs to deal with juvenile repeat offenders, in large part, because the City has failed to coordinate services and programs necessary to address the problem.**

Serious and violent crime has increased significantly in the past five years among juvenile offenders and habilitation programs have had limited success in changing violent delinquent behavior. Serious crimes by juveniles now include assault, forcible rape, kidnapping, armed robbery and murder. Recently, the City rejected participation in a state program for serious habitual offenders. With 50% of the City's serious crimes and 20% of the homicides attributed to minors, the current position towards these serious offenders needs to be reexamined. They are small in number--fewer than 300 city-wide--and are not now specifically tracked. Los Angeles County tracks its serious habitual offenders and that program has had a positive impact on reducing violent crimes and property crimes. The Police Department's juvenile division deals primarily with victims and there are no precinct level juvenile officers specially trained to monitor and prevent juvenile crime. Warnings and citations often replace arrests and gun related offenses are not getting the alarmed reaction they deserve.

**4. No centralized case management system exists which connects juvenile probation, police, school district, health, and social services.**

A case management system should include all the appropriate precautions (blocking modules) to prevent unauthorized access to the confidential files of offenders. Such a system could provide an additional impetus to improve the coordination of services, the monitoring of probation, and long-term family intervention of high risk offenders.



**5. Serious morale problems exist in the probation staff with little discourse between the staff and the administration.**

During this review, a marked lack of confidence was generally expressed in some members of the senior probation staff. For the non-administrative staff, heavy case loads, little chance for advancement or reassignment, job insecurity, departmental politics, and difficult working conditions all make their contributions to low morale. Twenty-five per cent of the Probation and Counseling staff went on disability leave in 1993, adding significantly to the \$500,000 in cost over-runs. The counselors who assist the Probation staff in managing offenders are now required to have only one year of education beyond high school and related work experience (e.g., camp counselor). Recombining the adult and juvenile probation divisions needs to be examined. San Francisco is alone in the state in dividing the two probation divisions. Current personnel policy restricts assignments and does little to reward sound work or to motivate the completion of special training or continuing education. Clear job descriptions of departmental policy and expectations coupled with semi-annual supervisory and peer evaluation would increase productivity. The Juvenile Justice Commission has not carried out its mandate to develop and perform similar evaluative procedures for the Director and his immediate staff during its entire four year tenure.

**6. The facilities for processing and housing juvenile offenders in San Francisco are inadequate for the demands of juvenile justice.**

The City and County of San Francisco has three primary facilities for processing and housing its juvenile population. The Youth Guidance Center and accompanying cottages provides administrative space, court rooms, and temporary placement. The general condition of the Center is one of long term neglect, making it an unattractive place for staff and offenders. In contrast, the same vintage facility in Alameda County has been maintained and presents a vastly improved atmosphere to carry on juvenile justice. Log Cabin Ranch in La Honda--50 miles south of the City--provides long term placement for more serious offenders. San Francisco has not used Hidden Valley Ranch--a companion facility to Log Cabin--since 1980 due to budget restraints and a rise in group home placement both in and out of the County as the preferred placement choice. Few offenders, including serious offenders, are sent to the California Youth Authority because its programs and facilities are generally judged to be a place of last resort.

**7. The juvenile justice system has not accommodated its programs and services to the special needs of female offenders, especially those with children.**

Both the short and long term placements for female offenders are inadequate. The court often has the option of releasing the offender, in some cases with a child or children, or sending her to the California Youth Authority. Currently, there are no minimum or medium security facilities for girls. Many of the female offenders come from backgrounds of abuse and educational failure. Few of the programs are tailored to these problems and little follow-up support is offered when these young offenders return to their communities. The independent living programs offered often leave these young women--themselves children--with children abandoned in their communities.

**8. Recent reforms in the juvenile justice system have produced a system that is both adversarial and time consuming.**

Since the 1967 United States Supreme Court decision, In re Gault, state and federal governments have had to substantially reform juvenile justice. Proceedings in juvenile court now mirror those in adult court in the expansion of due process and the protection of constitutional rights for minors, with the exception that the proceedings remain civil rather than criminal. The Public Defender's office has developed a list of recommended procedural changes to expedite the processing and adjudication of juvenile offenders. With the increases in serious crimes and the increasing number of statutes that allow serious offenders as young as 14 to be tried as adults, attempts to streamline the system have resulted in pleas to lesser offenses and reduced consequences for serious offenders.



**B. Programs;****9. Educational programs for juvenile offenders have not received sufficient support or attention to succeed.**

The San Francisco Unified School District is responsible for the educational programs and for providing educators in all placement facilities within the juvenile justice system. Some aspects of their program are idealized and irrelevant to the population in their charge. Time spent with the offenders at Youth Guidance Center is short (7-9 days) and often interrupted by other demands. Thus, little continuity is offered in their education during placement or upon release. No one person is assigned the role of education coordinator for each offender save the probation officer's monitoring of truancy notices. The parent has little involvement with the continuing education of the offender and there is little consequence if parents ignore truancy violations. A parental advisory board composed of parents of offenders could be effective in gaining the confidence and participation of parents or guardians in all matters related to habilitation.

**10. There is no drug testing program as part of a general health examination to determine if substance abuse treatment is warranted.**

Drug testing is seldom done now and depends on the experience of staff to determine if there is probable cause for testing. There is no drug related follow-up for juveniles in group-home placement, on probation or in transition from lock up to their families or community.

**11. Many of the 1,100 offenders on probation lack meaningful or consequential follow up on their probation status or service needs.**

There is little field supervision for repeat non-violent offenders. Offenders who are assigned mandatory community service seldom have that assignment enforced. No significant transition program exists for those offenders released from group home placement, Log Cabin or CYA. There is little evaluation by Juvenile Probation of community based programs for youth, the quality of their service or the extent of integration with other programs.

The City now spends \$43,000,000 on fewer than 4,000 youths who come to the attention of the juvenile justice system. In addition, the medical costs to the City for treating juvenile injuries related to violent crime exceed \$1,000,000. Projections based largely on current rates of teenage pregnancy indicate that there will be a five-fold increase in all crime in the next twenty

years. The projected costs of such increases will place a heavy burden on the citizens of San Francisco and severely jeopardize their public safety.

## Recommendations

### A. Organization and Planning

1. The mayor should offer strong leadership in all matters related to juvenile justice. He should appoint a senior staff member to act as a catalyst for bringing together the Juvenile Justice and the Juvenile Probation Commissions and his own Juvenile Justice Task Force. These commissions should hold periodic joint meetings and clearly define their respective areas of concern and responsibility.
2. The mayor, his Task Force, and the two Commissions should develop and fund a major early detection and prevention program in cooperation with the Juvenile Probation Department, School District, Health Department, Department of Social Services and the Police Department.

The data, indicating that 7% of the juvenile offenders commit 79% of violent crime, raise the real possibility that prevention programs with only a small number of mostly young males need to be followed for long periods. This would dramatically increase the effectiveness of prevention programs and, no doubt, their costs. Research indicates that sound parenting practices are the most significant factor in juvenile crime prevention. However, to be effective they must be developed and maintained across the child's entire development -- from early childhood until the end of adolescence. Also, special consideration should be given to the effects of mass media, particularly entertainment and advertisements, on civility and social order. Young people need to develop skills in interpreting and understanding mass media, particularly symbols of violence, displays of impulsiveness, and lack of self control. Finally, city-wide recreational programs and facilities should be expanded for all young people in San Francisco.

3. The Mayor's Office, Juvenile Justice Department, Unified School District, Health Department and the Police Department should jointly appoint a special grant procurement staff to seek state funds and federal grants to support juvenile programs such as early detection and prevention. With current projections for increases in juvenile crime, failure to act now will be very costly for San Francisco. If state and federal funding are scarce, then initial funds should be diverted from current expenditures such as the overtime costs for disability claims to give prevention the highest priority. The long term savings for juvenile justice should be substantial.



4. The Police Department, with the cooperation of the Juvenile Probation Department and the District Attorney, should develop a program to: a) track serious habitual offenders; b) arrest them when they commit crimes; and c) petition for sentences harsher than those for non-habitual offenders. Los Angeles County developed a successful model for this type of program. Such programs have resulted in decreases in violent crime and personal property crime. In general, violent juvenile crime--particularly that involving hand guns--is not getting the alarmed and repulsed reaction it deserves in San Francisco.
5. Since half of all serious juvenile crime occurs on Muni, the mayor and Muni management need either to improve their 911 quick response system or to assign more officers to those routes at times when serious crimes are being committed. Additional consideration needs to be given to the public safety of our senior citizens such as the Escort Program.
6. The Police Department should develop a juvenile division with specially and continually trained officers assigned to each precinct. These officers should have close liaisons with the probation officers working their districts and the schools located in those precincts. The juvenile officers should develop close working relations within the community and, in particular, with the families of repeat and violent offenders. These families need to view the precincts as a positive resource for managing abusive and violent offenders.
7. The Juvenile Probation Department should develop and coordinate a computerized case management system to be shared by all departments or agencies requiring access to individual case files. The groups sharing access should include the Juvenile Probation Department, Health Department, School District, Police Department, Department of Social Services, Public Defender, and the District Attorney.
8. The Adult and Juvenile Probation Departments should review combining their staffs to allow varied assignments on a rotating basis. This increased flexibility in staff assignments could then be aligned with the particular demands of the divisions and accommodate changes in staff training and education. Personal safety standards for probation staff deserve the same priority as those set for the offenders as part of an overall attempt to decrease the current high number of personnel on disability leave. Further, an independent auditor should be appointed to examine and recommend changes to the current



practice of using generous overtime to improve personnel safety and security.

9. As its mandate requires, the Juvenile Probation Commission should evaluate performances of all senior probation staff members--including the Director--and make any necessary staff reassignments or changes. There is nearly universal agreement that some of the immediate senior staff should be replaced. A majority expressed the view that the senior probation staff, while competent in policy and program development, are too singular in their approach to juvenile crime to be effective administrators or to function in a coordinated city-wide system.
10. The mayor, the two Commissions, and his task force should develop a long term plan for the use of all physical plant facilities along with the current plan to replace the Youth Guidance Center. There is general agreement that the Youth Guidance Center can be made functional at a reasonable cost to meet short term needs. The general physical aesthetic of the Center can be vastly improved with little cost and tremendous psychological benefit to the staff and the offenders. In addition, Log Cabin and Hidden Valley should be rehabilitated for use both as a minimum security facility and a medium security facility. Under this arrangement, offenders can be assigned to a facility based both on age and severity of offense. Hidden Valley is now closed and Log Cabin typically operates at two-thirds capacity. If other counties in the region shared these facilities, operating costs could be significantly reduced now and still provide for future placement needs.
11. The mayor should take the lead to develop a five-county regional center for female offenders. The shared cost of such a facility would represent considerable savings for the City. This larger facility should include separate living arrangements for offenders with children. Since this population and their children are at greatest risk of producing inter-generational offenders, they require special attention with particular focus on follow-up after they have been released. Independent living programs should not be an option for those under 18 years of age with or without children.
12. The Juvenile Court, Juvenile Probation, the Public Defender, and the District Attorney should streamline the system by which juvenile offenders are processed and disposed. The Public Defender has developed a new, more efficient system that deserves close consideration.

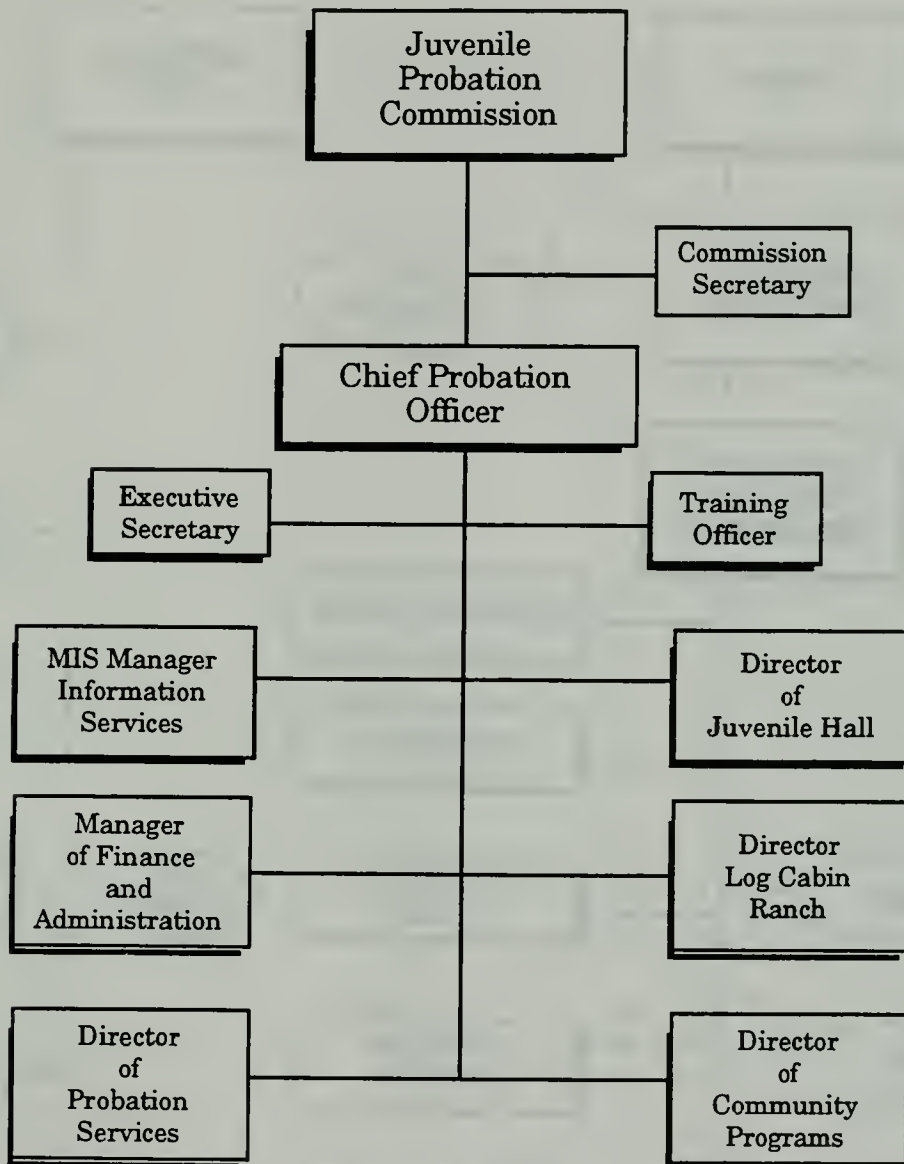
13. The mayor and the Commissions should conduct an audit and a policy review of the entire Juvenile Justice System with special consideration to long term planning and budget allocation based on current projections for increases in juvenile crime. Where possible, serious consideration should be given to forming a composite budget, derived from all governmental agencies involved with juveniles, as the first step toward reorganization and the development of a continuum of services. The services should start at the beginning of primary school and continue through adolescence and include young adults. A program of this scope is feasible because the numbers of children and adolescents requiring this kind of specialized long term attention are reasonably small. Although the Mayor's Task Force on Juvenile Crime is now studying these very issues, it is strongly urged that prevention and long term investment in San Francisco's youth be given the highest priority.

#### B. Programs

14. The San Francisco Unified School District should gear its programs to a population with whom there will be short and often erratic contact, who are poorly motivated, and who have backgrounds of educational failure. Parents or guardians who do not participate in the education--including truancy violations--and habilitation of their juvenile offenders should be prosecuted to the full extent of the law. Other jurisdictions have been very successful in enforcing truancy laws when clear consequences are given to the parents. To increase participation and confidence in the habilitation efforts of the juvenile system, a parental advisory board of parents or guardians of offenders should be established by the Juvenile Probation Department.
15. The Health Department should install a drug testing program as part of its general health examination, periodically monitor high risk individuals within each facility, and refer substance abuse cases for appropriate treatment. Voluntary drug testing should be included as a condition of probation for those offenders with substance abuse problems.
16. The Juvenile Probation Department should develop performance testing and defined obligations for probation officers and those providing community services. Educational and training requirements for counselors who assist staff in managing offenders should be increased with existing periodic education and training programs expanded.

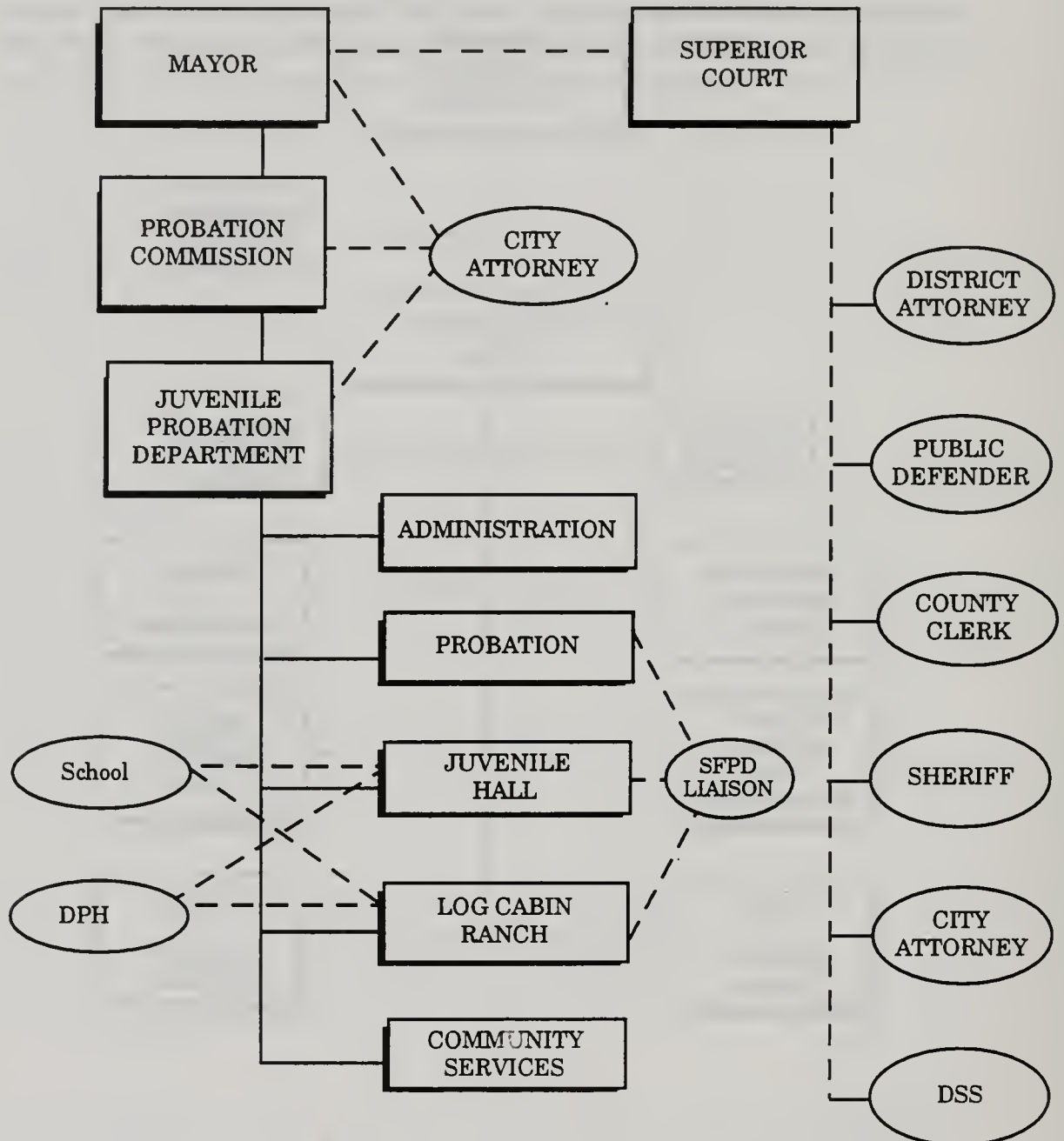
17. The Juvenile Probation Department, Health Department, Department of Social Services, and the Police Department should conduct a complete re-evaluation of existing policy for follow-up of offenders after release. The follow-up programs should coordinate a continuum of services offered by various public and community based services. These programs should target individuals and their families, giving special attention to serious habitual offenders, including sex offenders, non-violent repeat offenders, and high risk offenders from inter-generational crime families.

**San Francisco  
Juvenile Probation Department  
Executive Structure**





**Juvenile Justice System  
- Inter-Departmental Relationships -  
1992**



<sup>1</sup> The statistics provided in this report are based largely on information provided by the San Francisco Police Department and the Juvenile Probation Department.



















